United Nations S/2008/493

Security Council

Distr.: General
30 July 2008

Original: English

Letter dated 8 July 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), and in accordance with paragraph 7 of resolution 1810 (2008), I have the honour to submit to the Security Council the report of the Committee on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements.

The Committee would appreciate it if the present letter, together with the report and its annexes, could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Jorge **Urbina**
Chairman
Security Council Committee established
pursuant to resolution 1540 (2004)

08-40978 (E) 310708

Annex

Report of the Committee established pursuant to Security Council resolution 1540 (2004)

Summary

Since the adoption of Security Council resolution 1540 in April 2004, the Committee established pursuant to that resolution has made considerable progress in promoting full implementation of the resolution through its intensive work programmes. That work includes assisting the Security Council in monitoring the implementation of the resolution through the examination of relevant measures taken by all States Members of the United Nations, the organization of intensive outreach activities, the development of deeper and mutually beneficial cooperation with other Security Council counter-terrorism bodies as well as with global, regional, and subregional intergovernmental organizations, the creation of new tools to facilitate assistance and transparency, and the enhancement of its dialogue with individual States. In the present report the Committee expresses the belief that those activities substantially raised the awareness of the international community concerning the dangers associated with the potential nexus between the proliferation of weapons of mass destruction, their means of delivery and related materials, and non-State actors. Since the adoption by the Security Council of resolution 1673 (2006), the Committee's work has had a greater emphasis on implementation of resolution 1540 (2004), facilitating the efforts of Member States to prepare to address that nexus.

In the present report, the 1540 Committee identifies a number of specific measures that States have in place to implement resolution 1540, including steps they have taken since April 2006. They range from developing new institutional means to incorporate the obligations of resolution 1540 (2004) in national practices to adopting new legislation and enforcement measures, executing new policies and creating new assistance programmes directed towards implementation of the resolution.

The new reports submitted by a number of States since 2006 and the additional information received from other States, or otherwise identified from official governmental sources, have enabled the Committee to present a more complete picture of the measures already in place or planned in the near future. Thus, it has been possible to demonstrate a qualitative improvement in progress towards achieving full implementation of the resolution.

Notwithstanding that progress, the Committee concludes that Member States need to do far more than they have already done to implement resolution 1540 (2004). Consequently, achieving the goals of the resolution requires further attention by the Security Council and more intensive action, particularly on capacity-building and sharing lessons learned. Among other recommendations, the Committee believes that, consistent with Security Council resolution 1810 (2008), it should strengthen its clearing-house role for channelling assistance to States in need; increase tailored dialogue with and among States to identify assistance needs and assistance projects to meet them; and promote awareness of, make better use of and consider options for developing existing financial mechanisms in order to build capacity to implement resolution 1540 (2004). To those ends, it should also work more closely with global

and regional intergovernmental organizations and arrangements, within and outside the United Nations system, in fostering the sharing of experience, creating forums for discussion and developing innovative mechanisms to achieve implementation of the resolution.

Full implementation of resolution 1540 (2004) by all States will take time. Once it has been accomplished, vigilance and innovation will be needed to maintain effective policies. That task not only calls for a long-term commitment to the objectives of the resolution, but also the nurturing of a sense of urgency, given the gravity of the threat facing the international community.

I. Introduction

1. On 27 April 2006, the Security Council unanimously adopted resolution 1673 (2006), in which having considered the first report (S/2006/257 and Corr.1) of its Committee established pursuant to resolution 1540 (2004) (hereafter "the Committee"), the Council decided to extend the mandate of the Committee for a period of two years until 27 April 2008. In its resolution 1810 (2008), the Council decided to extend further the mandate of the Committee for a period of three years until 25 April 2011.

2. In paragraphs 5 and 6 of resolution 1673 (2006), the Security Council decided that the 1540 Committee should intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) and would submit to the Council a report no later than 27 April 2008 on compliance by States with that resolution through the achievement of the implementation of its requirements. In paragraph 7 of resolution 1810 (2008), the Security Council extended the deadline for the submission of the Committee's report until 31 July 2008.

3. The present report is submitted in accordance with the above-mentioned decisions of the Security Council.

II. Organization of work

4. Following the decision to extend the mandate of the Committee, Ambassador Peter Burian of Slovakia, appointed by the Security Council on 4 January 2006, continued to serve as Chairman of the Committee, with Ghana, Japan and the United Kingdom of Great Britain and Northern Ireland performing the tasks of Vice-Chairmen. In January 2007 Japan was replaced by Indonesia.

5. On 3 January 2008, the Council appointed Ambassador Jorge Urbina of Costa Rica as the new Chairman of the Committee, while Croatia replaced Ghana as Vice-Chairman.

6. A Senior Political Affairs Officer of the Department of Political Affairs, assisted by other officers of that Department, continued to serve as Secretary of the Committee, while the Department/Office for Disarmament Affairs continued to provide substantive and logistical support to the Committee.

7. In accordance with paragraph 4 of resolution 1673 (2006), the Committee continued to be assisted by experts. On 15 February and 10 May 2007, the Secretary-General informed the President of the Security Council of the appointment of five experts to fill the existing vacancies in the group of eight experts assisting the Committee in its work. The current composition of the expert group is given in annex I. The Office for Disarmament Affairs continued to provide substantive and logistical support to the group of experts.

8. Since the extension of its mandate in April 2006, the Committee has held 47 formal and informal meetings, as well as a number of informal consultations. Of these meetings, five were devoted to thematic discussions on reporting, outreach and assistance strategies and on the issues of means of delivery and of biological weapons and related materials. The three subcommittees of the Committee, established in 2004, held meetings to consider the national reports and additional information submitted by States.

9. On 30 May and 28 September 2006, 22 May and 14 November 2007 and 6 May 2008, the Chairman of the Committee, together with the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism and the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, briefed the Security Council at open meetings on the progress achieved by the subsidiary bodies in fulfilling their respective mandates. On 23 February 2007, the Security Council considered at an open meeting the issue of cooperation between the Committee and international organizations, and adopted a presidential statement on this subject. In addition, on 17 December 2007, the outgoing Chairman of the Committee, Ambassador Peter Burian, briefed the Security Council on the activities of the Committee during his tenure.

10. On 3 October 2006, the Committee adopted its fifth programme of work, which covered the period from 1 October 2006 to 30 September 2007, addressed all aspects of resolutions 1540 (2004) and 1673 (2006) and reflected the recommendations contained in the first report of the Committee to the Security Council (S/2006/257 and Corr.1). On 14 September 2007, the Committee adopted its sixth programme of work, for the period from 1 October 2007 to 27 April 2008, which represented a continuation of the fifth programme with the addition of the preparation of the Committee's report to the Security Council on the second biennium of its work.

11. All relevant documents are listed in annex II.

III. Reporting and compilation of information

12. In its resolution 1673 (2006), the Security Council reiterated its decisions in and the requirements of resolution 1540 (2004) and called upon all States that had not yet presented a first report on steps they had taken or intended to take to implement resolution 1540 (2004) to submit such a report to the Committee without delay. Additionally in resolution 1673 (2006), the Council encouraged all previously reporting States to submit additional information on their implementation of resolution 1540 (2004).

13. The Committee sent letters in October/November 2007 to all 192 Member States reminding them to submit reports or provide up-to-date information on further steps they had taken or planned to take to achieve full implementation of the resolution. Each letter was accompanied by the matrix the Committee had prepared for that State. The letter explained the matrix and asked States, as appropriate, to verify or amend the information in the matrix.

14. States were also encouraged to submit details of intergovernmental processes, national practices or implementation plans which had been developed to implement the requirements of the resolution.

15. It is noted that matrices for non-reporting States have also been prepared by the experts, with the approval of the Committee, and provided to those States for their review, in an effort to facilitate those States' submission of first reports.

16. As the experts prepared matrices, they also updated the legislative database of States' national legislation, which was posted on the Committee's website as a

reference tool of lessons and approaches in considering national legislation or amendments thereto.

17. As at 1 July 2008, 103 States have responded to the Committee's 2007 request. The total number of States that have submitted at least one report since 2004 stands at 155, with one organization[1] also having submitted a report (see annex III).

18. Of those States that have submitted first reports, 102 have submitted additional information. Thirty-seven States have not submitted a first report to the Committee (see annex IV).

19. The Committee notes that, as shown in annex V, the implementation status, as reflected in the matrix, needs to be improved. The Committee intends, therefore, to use the matrices further as a tool for dialogue with States on their implementation of the resolution, as well as for facilitating technical assistance.

20. In response to questions from Member States about the matrix, the Committee developed language to clarify the concept. The Committee agreed that the information in the matrices originates primarily from national reports and is complemented by official Government information, including that made available to intergovernmental organizations. The matrices are prepared under the direction of the Committee. The Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council resolution 1540 (2004). The matrices are not a tool for measuring the compliance of States with their non-proliferation obligations but for facilitating the implementation of Security Council resolutions 1540 (2004) and 1673 (2006). They do not reflect or prejudice any ongoing discussion outside the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations.

21. The Committee is now considering posting matrices of States on its website, subject to their consent.

IV. Compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements[2]

A. Paragraph 1 and related matters

22. Since the submission of the Committee's previous report, in April 2006 more Member States have become parties to the international instruments of particular relevance to resolution 1540 (2004) (see annex VI). In addition, many States have indicated their intention to ratify or implement the following new instruments: the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material and the two 2005 Protocols to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and to its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. Notably, the International Convention for the Suppression of Acts of Nuclear Terrorism entered into force in July 2007. With regard to the World Customs

[1] European Union.

[2] Nothing in this section should be construed as altering the definitions contained in resolution 1540 (2004).

Organization (WCO) SAFE Framework of Standards, a declaration (letter) was made available in 2006 for States to indicate their commitment to improving border, customs, cargo and trade security, which may contribute to States' efforts to fulfil some requirements of resolution 1540 (2004).

23. The Committee believes that the full implementation of resolution 1540 (2004) would benefit from more States subscribing to the above-mentioned new international instruments as soon as possible and fully implementing all their obligations under the relevant international instruments to which they are parties.

B. Paragraph 2

24. The Committee notes the continuing difficulty faced by some States in understanding that paragraph 2 deals with weapons and their means of delivery and also notes that legislative or other measures to license or control related materials alone are not sufficient to satisfy State obligations under paragraph 2.[3] It further notes that many States are not yet fully cognizant of the fact that not all the requirements mentioned in paragraph 2 are necessarily reflected in specific existing legislation. This is the case even when the coverage is supplemented by more general prohibitions contained in their Constitutions — provisions that are deemed relevant to the implementation of obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. As these international instruments deal primarily with State-to-State obligations, the requirements of resolution 1540 (2004) focusing on non-State actors need specific supplementary legislation, including penalizing the involvement of such actors in the prohibited activities. Furthermore, the current penal or criminal codes of many States, as well as their counter-terrorism legislation, penalize only some activities that resolution 1540 (2004) requires States to proscribe and most do so in general terms that apply equally to biological, chemical and nuclear weapons rather than having distinct legislative provisions or sections that apply individually to each weapon type.

25. The Committee, through its implementation of paragraph 5 of resolution 1673 (2006), has promoted greater awareness of the above-mentioned factors by States in meeting their obligations under paragraph 2 of resolution 1540 (2004). Consequently, the Committee has noted an increase between 2006 and 2008 in the number of States that have instituted legislative measures to penalize the involvement of non-State actors in the prohibited activities. In 2006, 14 States reported having legislative measures to penalize the involvement of non-State actors in the prohibited activities. By comparison, the data for all States now indicate that 63 States have such legislative measures.

[3] As the legal systems of many States prohibit or restrict activities through one type of law but use another type of law, such as a penal code, to set out specific penalties for violating such prohibitions or restrictions, the 1540 matrix the Committee uses makes a similar distinction, by referring to "national legal framework" for the first type of legislation and "enforcement" for the second type of legislation.

26. The differences in the status of national implementation legislation in the three weapons categories are addressed in the following subsections.

1. Nuclear weapons

27. Compared to its 2006 findings, the Committee's data indicate an increase in the number of States that have enacted national legislation covering resolution 1540 (2004) requirements regarding nuclear weapons. Ninety-three States have reported having a national legal framework prohibiting the manufacture and acquisition of nuclear weapons, with 66 States also reporting prohibition of the possession, transfer or use of such weapons. A similar number of States (71) reported provisions to penalize violations. Possible use of nuclear weapons, their manufacture and acquisition continue to be among the activities with the highest degree of penalization. A detailed description of the implementation of resolution 1540 (2004) in this area is given in annexes VII.A and VII.B.

2. Chemical weapons

28. Compared with that for biological weapons, referred to in paragraphs 30 and 31 below, national legislation on chemical weapons and their means of delivery provides a more complete picture, in large part owing to provisions for implementing mechanisms under the Chemical Weapons Convention. The prohibitions contained in the Chemical Weapons Convention on manufacture/production, acquisition, stockpiling/storing and use parallel the prohibitions in those areas contained in resolution 1540 (2004) and are incorporated to a high degree in the national frameworks, as well as in penal legislation. Regarding the prohibition of the ancillary offences of assisting, acting as an accomplice to or financing such activities, most States use their penal or criminal codes, along with counter-terrorism legislation, to provide penalties for these offences.

29. Analysis of the implementation of prohibited activities formulated in resolution 1540 (2004) but not covered by the Chemical Weapons Convention gives a result somewhat similar to that for biological weapons, in that only the prohibition of transport does not appear in the provisions of the Chemical Weapons Convention. This is an area requiring further attention, given the need for the transportation of chemicals for civilian and commercial purposes. Their carriage for legitimate purposes, however, is usually subject to control by licensing and permit, and those details are outlined in paragraph 3 of the resolution. At present, the Committee notes, 96 States have a national legal framework prohibiting the manufacture, acquisition, stockpiling, development, transfer or use of chemical weapons, but the figures with respect to the corresponding enforcement measures are lower, except in relation to manufacturing and use, where 96 States penalize violations. Seventy-six States reported laws prohibiting assistance to non-State actors in those activities, while 69 States reported prohibitions against participation as an accomplice. Further details are provided in annexes VIII.A and VIII.B.

3. Biological weapons

30. Since 2006, the issue of preventing the manufacture/production and acquisition of biological weapons, their means of delivery and related materials by non-State actors has been identified as requiring more specific attention in the future. The issues involved, including the need for legislative assistance and other

implementation measures, were explored in a thematic debate of the Committee in December 2007.

31. Resolution 1540 (2004) adds several prohibited activities to those already covered by the Biological and Toxin Weapons Convention, namely, transport, transfer and use. These activities had a lower rate of coverage in national legislation than in penal legislation. Penal and criminal codes, along with counter-terrorism legislation, tend to provide general penalty clauses linked to a variety of offences that focus more on prohibition of use, and the ancillary offences of assisting, acting as an accomplice in or financing these activities, including by non-State actors. In the information they provided to the Committee, many States made reference to their intention to make amendments in the future to counter-terrorism legislation, which could incorporate the prohibited activities under paragraph 2 of the resolution. At present, the Committee notes, 76 States have a national legal framework prohibiting the manufacture, acquisition, stockpiling, development or transfer of biological weapons and a comparable number have measures in place to penalize violations. Details of the national implementation of prohibitions relating to biological weapons are given in annexes IX.A and IX.B.

4. Means of delivery of weapons of mass destruction[4]

32. Since 2006, there has been a noticeable increase in the number of States reporting measures they have taken to implement the requirements of the resolution with respect to means of delivery. From the data available to the Committee, for the three weapons categories, 30 States have framework legislation in place for the means of delivery requirements for nuclear weapons, 46 for chemical weapons and 77 for biological weapons. With regard to enforcement measures for that framework legislation, 35 States have enforcement measures in place for the means of delivery requirements for nuclear weapons, 45 for chemical weapons and 45 for biological weapons. The increase in 2008 in the number of States which have reported prohibitions of activities (para. 2) relating to means of delivery in the three weapons categories are displayed in tabular form in annex X.A. Annex X.B and C displays the increase in the number of States which report a national legal framework to account for/secure/physically protect means of delivery (para. 3 (a) and (b)) and border and export controls in respect of means of delivery (para. 3 (c) and (d)) in the three weapons categories.

5. Acting as accomplice to, assisting or financing prohibited activities relating to weapons of mass destruction

33. The Committee notes that, based on the data for all the Member States, 58 and 67 States have adopted measures to prohibit participation as an accomplice in and assistance to prohibited activities relating to nuclear and biological weapons, respectively, and that 69 States had measures in place against illicit activities relating to chemical weapons. The Committee found far more States with such measures in place for all three types of weapons in comparison to the data available for its 2006 report. Many States use existing anti-terrorism legislation to penalize participating in or assisting prohibited activities relating to weapons of mass destruction, in particular for biological and nuclear weapons, while others have

[4] Means of delivery: missiles, rockets and other unmanned systems, capable of delivering nuclear, chemical or biological weapons that are specially designed for such use.

adopted new legislative provisions in accordance with the obligations they have as parties to the Chemical Weapons Convention, which includes a prohibition on assisting non-State actors.

34. The Committee notes from the data for all States that 64 States have taken measures to prohibit the financing of prohibited activities relating to nuclear, chemical or biological weapons, their means of delivery and related materials. Compared to its 2006 findings, the Committee identified a fourfold increase in the States that have taken such steps. In most instances, States have used existing anti-terrorism and anti-money-laundering enforcement legislation to criminalize the financing of illicit activities relating to weapons of mass destruction, especially with respect to use. Some of those States have incorporated the penalties directly in their legislation. Many States have informed the Committee that they have taken steps through participation, on a voluntary basis, in the Financial Action Task Force (FATF) or FATF-style regional bodies, including the Proliferation Financing Typology Working Group. Other States incorporate penalties by implementing similar obligations under other sources of international law, such as relevant international instruments to which they are parties, for example the International Convention for the Suppression of Acts of Nuclear Terrorism.

C. Paragraph 3 (a) and (b)

35. Since its previous report, in 2006, the 1540 Committee has noted a significant increase in the number of States that have reported taking steps to develop and maintain appropriate effective measures to account for, secure and physically protect materials related to weapons of mass destruction in production, use, storage and transport. However, the increase, overall, remains low against the total number of Member States.

1. Nuclear weapons and related materials

36. The regulatory framework within individual States is based on the international legal instruments, guidelines and standards that have been developed at the international level to address issues relating to the non-proliferation of nuclear weapons and to the accounting, securing and physical protection of nuclear materials. The Comprehensive Safeguards Agreements are used to verify compliance by non-nuclear-weapon States that are parties to the Treaty on the Non-Proliferation of Nuclear Weapons with their legal obligations not to use nuclear material to manufacture nuclear weapons or nuclear explosive devices. States are thereby required to put in place a system of accounting and control sufficient for tracking nuclear material. In addition, States parties to the Convention on the Physical Protection of Nuclear Material are required to apply the physical protection measures specified in that convention to nuclear material in international transport. Recommendations to States on their systems of physical protection of nuclear materials in use, transit and storage and of nuclear facilities are set forth in International Atomic Energy Agency (IAEA) document INFCIRC/225/Rev.4, "The physical protection of nuclear material and nuclear facilities".

37. The regulations on accounting for and physical protection of nuclear weapons or related materials established in States possessing nuclear weapons vary significantly from those put in place by non-nuclear-weapon States using nuclear

energy exclusively for peaceful purposes. Almost half of the Member States, as parties to safeguards agreements, have concluded small quantity protocols with IAEA holding in abeyance most of the verification-related provisions of the agreement and thus require minimal regulation relating to nuclear materials. These factors are relevant in considering the following paragraphs.

38. Of the 168 Member States that have concluded safeguards agreements, 138 are also parties to the Convention on the Physical Protection of Nuclear Material and 94 have established a national authority responsible for implementation of the relevant commitment. In addition, of the 96 States that participate in the IAEA database on illicit trafficking of nuclear material, 73 mentioned this in their reports to the Committee.

39. From the data of all States, the Committee notes that 154 reported having measures in place to account for the production, use and storage of nuclear materials, whereas 49 States reported having provisions in place to penalize violations of those measures. The Committee further notes that 58 States reported having measures in place to account for the transport of nuclear materials, whereas 44 States reported having provisions in place to penalize violations of those measures.

40. The legislative measures to secure nuclear materials in production, use, storage or transport are intrinsically linked with the regulations on accounting for such items. However, 62 States reported having measures in place to secure the production, use and storage of nuclear materials, whereas 91 States reported having measures in place to secure the transport of the same materials. The Committee notes that 56 States reported having penalties for violations of the former measures, whereas 82 reported having penalties pertaining to violations of measures to secure transport. In addition, 94 States reported having a national regulatory authority, 83 reported having licensing requirements in place for nuclear facilities or personnel who use nuclear-related materials and 64 reported having provisions in place to penalize violations of those licensing requirements.

41. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to nuclear weapons, their means of delivery and related materials are contained in annex XI.A and XI.B.

2. Chemical weapons and related materials

42. Compared with the implementation of the requirements for biological weapons and related materials, the implementation process in the field of chemical weapons and related materials is slightly more developed because of the increased reporting and control mechanisms under the Chemical Weapons Convention. Since April 2006, activities relating to the Organization for the Prohibition of Chemical Weapons (OPCW) action plans on universality and national implementation, and the Office for Disarmament Affairs 1540 workshops have facilitated mutual implementation of respective mandates.[5]

43. While the Chemical Weapons Convention does not contain an explicit prohibition of the transport of chemical weapons, the Committee notes that 49 States

[5] Seventy-eight States reported to OPCW that national legislation was in place and 124 reported that they had adopted implementing measures. Letter from the Director-General of OPCW to the 1540 Committee Chairman, 21 January 2008.

reported having measures in place to account for the transport of chemical weapon-related materials that could be used for the design, development, production or use of chemical weapons, and of their means of delivery, whereas 69 States reported having measures in place to secure the transport of such materials. The Committee further notes that while 163 States reported having a national Chemical Weapons Convention authority, only 73 reported having licensing requirements for facilities or personnel using chemical weapon-related materials.

44. A slightly smaller proportion of States reported having provisions in place to enforce measures to account for and secure the transport of chemical weapon-related materials that could be used for the design, development, production or use of chemical weapons, and of their means of delivery. Additionally, of the States with licensing requirements for facilities or personnel using such materials, the Committee notes that only 56 reported having provisions in place to enforce those requirements.

45. The measures reported by States for the physical protection of chemical weapon-related materials in facilities and during transport remain considerably fewer than other measures reported for accounting and securing. The Committee notes that of the 37 States that reported having regulations in place to physically protect chemical facilities, materials and transports, 27 reported having provisions in place to enforce violations of those measures. The Committee further notes that of the 23 States that reported having measures in place to undertake reliability checks of personnel handling such materials, 15 reported having provisions in place to enforce those measures.

46. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to chemical weapons, their means of delivery and related materials are contained in annex XII.A and XII.B.

3. Biological weapons and related materials

47. A number of States consider that the rapid advances in and diversity of the biotechnology industry worldwide may have an impact on the complexity of accounting for, securing and physically protecting sensitive material for legitimate purposes while preventing their use for prohibited ones. Biological weapon-related materials may include agents such as living organisms that replicate, commercially available dual-use equipment and processes for handling micro-organisms. The Committee notes that accounting for biological weapon-related materials may be addressed in national legislation differently from accounting for chemical weapon-related and nuclear weapon-related materials that are produced, used and stored in finite, measurable quantities.

48. A number of States reported that, apart from toxins, accounting measures for biological weapons-related materials focused primarily on keeping inventory logs of the use, production and possession of such types of agents, further distinguished by their role in causing human, animal or plant diseases. From the data available for all States, the Committee notes that 66 States have adopted legislation and regulations for licensing the use, production and possession of biological weapon-related materials as permitted activities for commercial, industrial and public health purposes. In addition, 37 States regulate genetic engineering activities relating to biological weapon-related materials in separate laws.

49. A number of States reported that the above-mentioned controls and measures were administered or enforced by public and/or veterinary health, plant control and environmental protection agencies. The Committee notes, however, that of the States that reported having licensing provisions, 46 reported having provisions in place to enforce them by criminal or administrative penalties.

50. The Committee notes a considerable increase in the number of States that reported having measures to secure biological weapon-related materials and physically protect their transportation. From the data available for all States, the Committee notes that 38 States reported having measures in place to account for biological weapon-related materials, whereas 53 States reported having measures in place to secure them. While this may indicate an increased awareness by States of the potential risk from the accidental release of biological weapon-related materials, the Committee notes that only 25 States reported having measures in place to undertake reliability checks of personnel working with sensitive materials.

51. A smaller proportion of States reported having provisions for criminal or administrative penalties to enforce measures for the accounting and securing of biological weapon-related materials.

52. Details of the national implementation measures addressed in paragraph 3 (a) and (b) with regard to biological weapons, their means of delivery and related materials are contained in annex XIII.A and XIII.B.

D. Paragraph 3 (c) and (d)

53. A number of States reported that goods, technologies and services that had primarily commercial but also potential weapons of mass destruction-related applications (i.e., dual-use items) fell within the remit of the same authorities in charge of each State's international trade. The Committee observes a significant increase, compared to its findings in 2006, in the number of States identified as having taken measures towards enhancing border and export controls. However, it is also recognized that passing legislation and regulations is not sufficient in and of itself. There also need to be effective domestic enforcement; credible control lists of dual-use items; appropriate implementation and enforcement measures; effective training of enforcement officials; and information sharing. In resolution 1810 (2008), the Security Council reaffirmed that prevention of proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation.

54. The number of States that have reported having controls for each type of weapon, their means of delivery and related materials, compared to those which reported in 2006, appears in annexes XIV.A and B, XV.A and B and XVI.A and B.

1. Border controls against the proliferation of weapons of mass destruction

55. Considering that the border control obligations set out in paragraph 3 (c) of resolution 1540 (2004) raise important issues concerning the role of customs administrations, a number of States reported that customs services now contribute to the achievement of other important national policies, such as responding to the threat of proliferation of weapons of mass destruction, including to non-State actors.

Many States have responded to the threat of proliferation of weapons of mass destruction to non-State actors by using the same principles they currently apply to imports. These include electronic lodgement of accurate information prior to loading items for shipment; risk assessment through intelligence evaluation of all information using both advanced computer systems and the experience of customs officers; the examination of cargo identified as of interest to customs, using non-invasive technology or physical inspection as required; and voluntary arrangements with business to encourage compliance, backed by legislation and regulation as necessary. Consequently, the matrices the Committee has prepared include information on measures for the legislative and enforcement capacity of States to prevent, through adequate controls, the flow across their borders of items related to weapons of mass destruction. The Committee has identified, from the data of all States, that 114 States have border and/or customs controls.

56. Given the technical and often dual-use nature of materials related to the development of nuclear, chemical and biological weapons, the provision of technical support to border control authorities is of fundamental importance. Such support may include specialized detection equipment, such as radiation scanners, training for commodity identification or access to technical expertise. From the data for all States, the Committee has found a significant increase in the number of States (86) reporting that they have provided technical support to their border authorities.

57. In response to potential terrorist threats, several customs authorities have undertaken initiatives to improve security in the international supply chain. One such initiative reported to the Committee obliges carriers to provide electronic manifest data 24 hours before loading sea containers, and requires air cargo carriers to supply information upon departure. This enables customs authorities to select high-risk shipments via automated targeting systems. Most supply chain security initiatives support moving pre-approved eligible goods across the border quickly and verifying trade compliance away from the border. Shipments for approved companies, transported by approved carriers using registered drivers, will be cleared with greater speed and certainty, and at a reduced cost of compliance.

58. The examination of national submissions to the Committee demonstrates, however, that many States believe non-State actors could exploit legitimate cross-border activities, particularly in free-trade zones or similar territories. The Governments of several States that are leading trans-shipment hubs have already taken steps to establish appropriate border and export control infrastructure, and assert that such controls have improved their status as leaders in trade facilitation.

2. Export controls

59. To implement the requirements of resolution 1540 (2004), States often need to discern between illicit trafficking in weapons of mass destruction, their means of delivery and related materials and the lawful flow of dual-use items. Effective export control measures will facilitate legitimate and secure trade. Implementing such controls can also limit the opportunities for theft, diversion and illicit acquisition of such items by non-State actors.

(a) Licensing

60. A number of States reported that they were working to implement licensing procedures to strengthen their national security, foreign policy and economic

interests in ways that encourage legitimate trade. The Committee notes that, since 2006, many States have taken considerable steps towards implementing licensing procedures for the export, transit, trans-shipment, re-export and import of nuclear, chemical and biological weapon-related materials, including the establishment of national licensing authorities and intergovernmental licence review processes. In addition, the Committee notes that 76 States reported having licensing provisions for nuclear and related materials, 77 reported having licensing provisions for chemicals and related materials, and 71 reported having licensing provisions for biological weapon-related material.

61. Considering that failure to stop transactions involving inappropriate end-uses undermines States' licensing policy and the objectives of resolution 1540 (2004), 61 States have implemented end-user assessments as an essential aspect of their export control process. Similarly, 54 States have introduced controls on items not specified on control lists but which can still make meaningful contributions to weapons of mass destruction and their means of delivery programmes, particularly start-up programmes. Sixty-one States have taken steps to implement end-user processes and 54 also have catch-all controls, which can apply to items such as common test equipment, de-controlled machine tools, certain steels and ubiquitous electronic components, based on concerns regarding the end-user or potential end-use of those goods, services or technologies.

(b) Controls relating to technologies

62. The availability of technologies necessary for the "development", "production" or "use" of materials related to weapons of mass destruction has increased in recent years for many reasons, including globalization of businesses and organizations, improvements in telecommunications, greater access to the Internet and the ease of international travel. This greater accessibility to important technologies presents significant challenges to current export control systems, which States traditionally have based on flows of items across physical national boundaries. Several States have adapted their earlier systems to implement unique policies and practices for effective administration and enforcement of controls on the flow of technologies.

63. The Committee follows at least three indicators of how States have made such adaptations: the inclusion of technologies as well as goods in lists of controlled items; the coverage of intangible transfers of technology in their control systems; and controls on the flow of information to foreign nationals within a State's boundaries (i.e., deemed exports). The Committee has found, from the data of all States, that 62 States reported the inclusion of technologies in lists of controlled items; 46 States reported that they had measures within their control systems to cover transfers of technology; and 18 had measures to control the flow of information to foreign nationals. The Committee also notes, however, that far fewer States reported having provisions in place to penalize violations of those measures.

(c) Controls relating to aspects of trade transactions beyond export licensing

64. Some States reported that they did not produce items related to weapons of mass destruction or their means of delivery. However, controlling the import, transit, trans-shipment or re-export of such items makes an important contribution to

international non-proliferation efforts and limits the opportunities for non-State actors to exploit their territories for proliferation purposes.

65. A number of States reported that they controlled international transit so that the goods did not remain in the transit country in contravention of prohibitions and restrictions, including import regulations. From the data of all States, the Committee notes that 80 reported having measures in place to control goods in transit. The Committee also notes that 49 States reported having provisions in place to penalize violations of transit procedures.

66. A number of States also reported addressing the issue of goods in trans-shipment, which varies slightly from transit in that the trans-shipment of goods involves a change in the means of transport during the journey. From the data of all States, the Committee notes that 62 States have measures in place to control trans-shipments. The Committee also notes that 35 States reported having provisions in place to penalize violations of trans-shipment procedures.

67. Re-export controls apply to those goods which are temporarily imported and then re-exported. The objective of States is that the same procedures are followed for the re-exported goods that States have adopted for other proscribed goods. Seventy-two States reported having measures in place to control re-exports. In addition, 44 States reported having provisions in place to penalize violations of re-export procedures. The Committee noted that those States were approximately one third fewer than those which reported having export controls in place.

68. From the data of all States, the Committee notes that 104 States reported having measures in place to control the import of items of proliferation concern, whereas 75 States reported having provisions in place to penalize violations of import procedures.

69. Thirty States reported to the Committee that they had the ability to apply regulatory controls to the activities of their citizens, regardless of where the activity occurred or where their citizens were located.

70. A number of States consider that the activities of brokers can pose a particular risk for the proliferation of weapons of mass destruction to non-State actors, as brokers, for the purposes of export control, act as an agent for others in negotiating or arranging contracts, purchases, sales, or transfers of goods or services in return for a fee, commission or other consideration. Brokers can operate out of multiple countries, and in every part of the world, and, given the transnational character of their activities, their work can go unnoticed and unregulated by States. Fifty-eight States reported having measures in place to control brokering, trading in, negotiating or otherwise assisting in the sale of weapons of mass destruction, their means of delivery and related materials.

(d) Controls relating to means of delivery

71. The national implementation measures addressed in paragraph 3 (c) and (d) of the resolution with regard to border and export control of means of delivery and related materials are contained in the annexes referred to previously. According to the data compiled in the annexes, the number of States having such control measures in the three weapon areas is as follows: framework legislation in at least 59 States and civil or criminal penalties in not more than 40 States. There has not been much improvement in the figures since 2006. States have also implemented the objectives

set out in paragraph 3 (c) and (d) through other arrangements, such as the Hague Code of Conduct against Ballistic Missile Proliferation, which 124 States reported subscribing to.

(e) Controls relating to transport and financial services for trade transactions

72. The Committee finds that the number of States with measures in place against the financing of illicit trade transactions related to weapons of mass destruction has increased among the States that reported in 2006. Twenty-nine States exercise some control over the financing of these activities, mainly related to their legislation to counter terrorism. The number of States that have measures against providing transport services for those illicit transactions increased significantly compared with the 2006 findings, but remains low overall. Twenty-three States have controls on transport services that are in some way relevant.

(f) Paragraphs 3 (d) and 6: control lists

73. In both paragraphs 3 (d) and 6 of the resolution, the Security Council recognized the importance of using national control lists dealing with non-proliferation in implementing border and export controls. In 2006, 52 States reported having lists of relevant items subject to control. By comparison, the data available now indicate that 67 States have such control lists.

74. A number of States reported that they saw a need to update their lists of controlled commodities, once established, on a regular basis. From the data of all States, the Committee notes that 53 States reported that they updated their control lists. Taken together with the number of States that regulate or can enforce export controls on weapons of mass destruction but lack control lists for weapons of mass destruction, it is apparent that many States have the opportunity to take important strides towards implementing more appropriate effective export controls.

(g) Outreach to industry and the public

75. Effective outreach programmes help raise the awareness of companies and commercial individuals, universities, and centres of research and development concerning their responsibilities under a national export control system and penalties for violations. Outreach should also seek to promote internal compliance practices that incorporate checks by industry on end-users and end-uses of concern, which a number of States mentioned in their reports.

76. A strong relationship with industry, besides improving intelligence, can also raise industry awareness about the need to "know your customer" and about suspicious procurement behaviour. This may lead industry representatives to notify law enforcement officials of such concerns. Such information has proved critical to the effective enforcement of border and export controls. Seventy-four States reported having made some efforts to reach out to industry on those topics, while 60 States reported making similar efforts to inform the general public about contributing to the work of Governments to prevent the proliferation of weapons of mass destruction, their means of delivery and related materials to non-State actors.

V. Experience-sharing

77. Paragraphs 1 to 3 of resolution 1540 (2004) create obligations for all Member States across a broad range of non-proliferation activities. The Committee acknowledges that States, either individually or collectively, have or will develop their own approaches towards implementing their obligations under the resolution. The Committee follows this commitment in considering the national reports and in preparing the data matrix for each State.

78. At the same time, in resolution 1673 (2006) the Security Council invited the Committee to explore with States and international, regional and subregional organizations experience-sharing and lessons learned in the areas covered by resolution 1540 (2004), and the availability of programmes which might facilitate the implementation of resolution 1540 (2004). In paragraph 11 (d) of resolution 1810 (2008) the Council encouraged the Committee to engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004), and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004).

79. The identification of effective and efficient practices for experience-sharing promotes the implementation of resolution 1540 (2004) and improves the quality of measures taken by States. By focusing on appropriate practices, States can conserve resources and avoid losses. More effective policies will attract greater international support, essential to the capacity-building required by most States, and, more likely, also domestic support, upon which the implementation of the resolution depends.

80. One of the challenges that the Committee faces in helping Member States that seek to share experience and exchange lessons learned is that very few practices have undergone the rigorous analysis, testing and consensus-building that goes into identifying a truly "best" practice.

81. To facilitate the sharing of experience, the Committee has prepared a list of relevant examples which States may wish to refer to in implementing resolution 1540. In compiling the list, the Committee used certain criteria to narrow down the list of possible examples to those that might be most relevant and useful in implementing that resolution. They were examples that (i) addressed at least one common problem related to the implementation of one or more obligation under resolution 1540 (2004), (ii) were recognized by an authoritative international body to have been shown to be effective or efficient and (iii) a significant number of States had adopted. In assembling the list, the Committee used three possible sources: first, those international organizations named in resolution 1540 (2004); second, other international bodies mentioned by States in their national reports; and lastly the Committee drew on its own experience in preparing the matrices for all States for additional potential sources of appropriate experience to share. Many of those other bodies have developed model laws, programmes or practices which form the basis of the experience-sharing addressed in the present report. The set of practices for experience-sharing appears in annex XVII.

82. Two caveats need mentioning. The Committee emphasizes that it does not endorse any of the materials set out in annex XVII but provides them as a service to Member States in their efforts to implement resolution 1540 (2004). In addition, that annex does not constitute an exhaustive set of examples and the Committee looks

forward to suggested additions, modifications or deletions from any Member State or intergovernmental body.

Lessons learned

83. As part of its review of the implementation of resolution 1540 (2004), the Committee has begun to draw up some "lessons learned". The first lesson learned is that implementation of the resolution takes place within the context of many conventions, treaties, laws, regulations, standards and practices that were in place prior to the adoption of the resolution. While States have so far modified only a few of those instruments with the resolution in mind, they have begun to review and reconsider how those instruments relate to the problem of non-State actors acquiring weapons of mass destruction and their means of delivery. This process of sorting out the roles of different instruments into a more coherent network to combat this problem has gained some momentum, although it remains far from mature.

84. While annex XVII includes many examples relevant to sharing experience relating to the implementation of resolution 1540 (2004), the second lesson learned is that those examples do not cover every obligation found in the resolution. The Committee would be interested to learn of steps that relevant international, regional and subregional organizations are taking or considering taking to develop practices in areas where none exist at present. For example, little is known about the intersection of two dimensions: brokering and proliferation of weapons of mass destruction. The Committee could contribute by helping to identify such gaps in knowledge.

85. A third lesson learned is that many States created new or adapted existing intra-governmental processes to implement resolution 1540 (2004). Consequently, the Committee included requests for information on such processes in presentations by the Chair and in letters to all States in October/November 2007.

86. Finally, the Committee concluded from its examination of matrices that it was clear that there was no one-size-fits-all way of implementing the resolution. There were many examples of different approaches to its implementation in response to, among other considerations, different national and regional priorities, levels of development and threat levels.

VI. Outreach and dialogue

87. The Security Council, in resolution 1673 (2006), decided that the Committee should intensify its efforts to promote the full implementation by all States of resolution 1540 (2004). This was to be achieved through a work programme that included the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation.

88. Through its outreach activities, which have been extended to more than 100 Member States, the Committee has sought to:

(a) Raise awareness about obligations and requirements under resolution 1540 (2004);

(b) Encourage States to submit more reports and additional information on the status of implementation of the resolution;

(c) Foster a dialogue on the implementation process;

(d) Share experience and lessons learned about national practices among participants and also with the 1540 experts;

(e) Enhance the support of international, regional and subregional organizations and potential assistance providers to facilitate the implementation process.

89. The Committee has been engaged in three main categories of outreach activities in the various regions, as well as at United Nations Headquarters:

(a) Regional and subregional seminars and workshops organized by the Office for Disarmament Affairs of the United Nations on the implementation of resolution 1540 (2004);

(b) Workshops on reporting, sponsored by the United Nations Office on Drugs and Crime (UNODC) and organized jointly with the experts assisting the Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, under their common strategy programme;

(c) Conferences, seminars and workshops of international, regional or subregional organizations and non-governmental organizations focusing on various aspects of the implementation of resolution 1540 (2004).

90. With respect to the regional events sponsored by the Office for Disarmament Affairs, six workshops have been organized since April 2006 in Asia, Africa and Latin America and the Caribbean. The first event, held in Beijing, in July 2006, focused on the implementation of resolution 1540 (2004) by States in the Asian and Pacific region. In September 2007, a workshop on implementation issues was organized in Amman.

91. In Africa, two workshops focusing on facilitating the submission of reports and the identification of assistance requirements were organized. The first workshop was held in Accra in November 2006 and the second in Gaborone in November 2007.

92. For Latin America and the Caribbean, two events were organized as a follow-up to the 2005 regional seminar held in Buenos Aires. The first event, organized in Lima in November 2006, enabled participants to address various implementation issues, including the task of reporting. The second event, organized in Kingston in May 2007, was devoted to the issues of reporting and assistance as they relate to the Caribbean States.

93. An important feature of those workshops was the tailoring of presentations to the special circumstances and requirements of the participating States, with a focus often on reporting and assistance, but also on seeking to identify issues of implementation beyond reporting, where applicable.

94. With regard to the second type of outreach, UNODC-sponsored "common strategy" activities were based on a joint approach to States by the 1540 Committee experts under the direction of the Committee, the Counter-Terrorism Committee

Executive Directorate and the 1267 Monitoring Team. The aim of those activities was to foster closer cooperation, as recommended by the Security Council, with a focus on non-reporting or late reporting States. This particular approach supplemented the efforts made through the workshops of the Office for Disarmament Affairs.

95. During 2007, Africa was given priority with two jointly organized and run workshops, the first in Dakar in September 2007 and the second in Gaborone in November 2007. An important feature of the "common-strategy" workshops is the interaction between the three committees, through their experts, and the delegations of national officials representing two or three relevant ministries of each participating State, in order to promote coordination and alleviate the task of responding to many requests for information.

96. The third type of outreach activities comprised conferences, seminars and workshops organized by other United Nations bodies and international, regional, subregional and non-governmental organizations. Those events addressed issues ranging from the broad challenge of preventing the proliferation of weapons of mass destruction to specific aspects of resolution 1540 (2004), inter alia issues concerning chemical and biological weapon-related materials, the prevention of nuclear terrorism, trafficking in nuclear materials, border and export controls, brokering and financial control, criminal law aspects of countering nuclear, chemical and biological terrorism in the light of relevant universal instruments. Some workshops addressed the issues of capacity-building and assistance as priority areas. Some events were global in nature and others were focused on particular regions, including Europe, Africa, Central Asia and the Caucasus, West Asia, Latin America and the Caribbean, South-East Asia and the Asian and Pacific region. As most of the participating States had already submitted one or more reports to the Committee, those events offered opportunities for the Committee to place primary focus on the possibilities for taking further steps in the implementation process.

97. In addition to the three types of events, the Committee has been active in seeking the support of all the Permanent Missions of Member States at United Nations Headquarters. This has been done not only through letters soliciting reports and additional information from capitals but also by providing briefings to the regional groups. Furthermore, an important aspect of the outreach activities in New York has been the dialogue conducted by the Committee, including through its experts, with individual delegations on the type of additional information that was expected from their capitals. A list of the outreach events is contained in annex XVIII.

98. On the whole, the Committee has pursued a dual approach in its outreach strategy. As the number of non-reporting States was reduced to one third of the United Nations membership, the Committee launched a last effort to complete the initial reporting phase in an interactive manner. At the same time, the majority of States that had reported were encouraged to provide additional information not only on existing measures but also on any further steps they have planned to achieve full implementation of the resolution.

99. During the reporting period, the Committee relied heavily on outreach activities to promote full implementation of resolution 1540 (2004). Through tailored dialogue, seminars and workshops it sought to generate awareness and promote the implementation of the resolution; to encourage the reporting process

and the sharing of relevant national experience; and to facilitate assistance geared to implementation. In a thematic discussion held during October 2007, the need to pursue a phased approach to the Committee's outreach activities was recognized and it was determined that the future activities would focus less on the issue of reporting and more on assisting States to implement the resolution fully. During the thematic discussion, the Committee considered general proposals regarding approaches to outreach activities during the implementation phase as well as proposals on specific themes for the outreach activities.

100. For example, the Committee discussed ways to ensure that outreach workshops are tailored to the needs of specific States. Among other things, the Committee discussed the idea that the Committee, together with the experts working under its direction, would look to relevant information from States' reports, data obtained from dialogue with States and information collated from official websites of relevant international organizations as sources of information to help tailor such workshops to States' needs.

101. The Committee also discussed types of activity that might be tailored in that way, for example:

(a) Outreach on the development of appropriate regulatory frameworks, underpinned by relevant laws and penalties;

(b) Outreach on special topics, to help build capacity, especially in the areas of implementation and enforcement regulation.

102. Another idea the Committee discussed was to have workshops to assist States in further developing cross-governmental or interagency processes to implement resolution 1540 (2004). Thematic workshops could focus on issues such as border and export controls, issues of transit and trans-shipment, brokering and financial controls, licensing issues, and accounting and securing of controlled materials. The role of industry in assisting States to meet their obligations under the resolution could also form an important aspect of the outreach effort. The Committee's outreach efforts may be undertaken with the assistance of external providers, including appropriate intergovernmental and non-governmental organizations, as well as Member States.

103. The Committee notes that international cooperation, in accordance with international law, is required to counter the illicit trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery and related materials, and will address this important issue, inter alia, during its dialogue with States, in outreach activities and in its future reports to the Security Council.

VII. Assistance

104. The Committee continued to act as a clearing house for information on the issue of assistance through formal and informal contact and dialogue with all States, especially those expressing interest in offering and receiving assistance. It also expanded and intensified its efforts to facilitate assistance in different ways.

105. The fifth programme of work directed the Committee to, among other things, organize meetings of prospective donor States and/or international organizations to share information about ongoing assistance, highlight perceived gaps, deconflict and

coordinate assistance programmes. After the first such meeting in March 2007, the Committee held a thematic discussion on assistance in May 2007. This discussion sparked the development of a new strategy that emphasized more practical elements of implementation, and it generated several outcomes.

106. Among other elements of the strategy, the Committee encouraged States to use the matrix in preparing requests and offers, and brought to the attention of requesting States various assistance programmes for which they might be eligible. The Committee also decided to post requests for assistance on its website, as it had already done with the offers, in the form of a brief summary. This would make them known to a wider audience of potential partners, with more detailed requests available as needed.

107. Building on a recommendation contained in the 2006 report and on the new assistance strategy, the Committee developed a draft assistance template, which was piloted at regional outreach activities in May and June 2007 in Jamaica and Fiji respectively. Subsequently, the Office for Disarmament Affairs invited the Committee to participate in a one-day meeting of States and international organizations that had offered assistance during July 2007, followed by a Office for Disarmament Affairs-hosted briefing by non-governmental organizations that had ongoing assistance programmes for implementing aspects of the resolution. After further refinement, a revised template was presented at meetings in Jordan in September 2007 and Kyrgyzstan in October 2007, which included specific presentations on preparing such assistance requests. In October 2007, the Committee adopted the revised assistance template and posted it on its website.

108. At those meetings, the Committee offered to assist States in preparing assistance requests. Similarly, one State gave related presentations at a bilateral workshop on resolution 1540 (2004) in Oman in January 2008. States have responded positively to the request for more specific information. One State at the meeting in Kyrgyzstan, for example, prepared a detailed request for substantial assistance on border security in line with the resolution and it was met by another State. Another State agreed to help Governments in Central Asia and the Caribbean to prepare requests using the assistance template.

109. In October/November 2007, the letters from the Committee dealt not only with reporting but reminded States that they might indicate their need for assistance even if they had not yet submitted a national report. In December, the Committee sent supplementary letters to international and regional governmental organizations along this line and it sent a letter to all States explaining its clearing-house role for assistance, along with the template.

110. Compared with the assistance information it had received for its 2006 report, the Committee identified a slight increase in the number of offers of assistance, but much larger increases in requests for assistance and in States partnering in ongoing assistance projects related to implementation of the resolution. In addition, one State submitted an action plan to the Committee that focused on providing assistance, while another reported tilting its assistance efforts towards biological weapons issues to reflect the conclusions reached from Committee assistance activities. At least one State fashioned a request using the template as part of its response to the October/November 2007 letter from the Committee seeking additional information.

111. Several international organizations have also begun to integrate the objectives of resolution 1540 (2004) directly into their assistance efforts. The Committee notes the work of IAEA and OPCW in attempting to meld their assistance programmes into the overarching framework of the resolution. In September 2007, for example, the General Conference of IAEA adopted a resolution in which it invited the IAEA Secretariat to provide such assistance as was within the scope of the Agency's statutory responsibilities upon request to Member States in fulfilling their commitment under the resolution and to the 1540 Committee. Similarly, in October 2007, the Director-General of OPCW reiterated his commitment to continuing close cooperation with the United Nations in supporting implementation of the resolution.

112. The Committee also observes with appreciation the contributions of regional organizations, including large donors, such as the EU, and other regional organizations supporting the Committee's work, such as the Association of Southeast Asian Nations (ASEAN) Regional Forum, the Commonwealth of Independent States, the Organization of American States and the Organization for Security and Cooperation in Europe.

113. While those efforts met with some success, the Committee still finds that most offers and requests remain fairly general and that many States have had difficulty in identifying a point of contact in their capitals for assistance matters. Consistent with resolution 1810 (2008), the Committee will continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the Committee. Most importantly, the international community needs to increase its efforts to facilitate States' implementation of their obligations.

114. On 17 December 2007, the outgoing Chairman of the 1540 Committee shared some personal observations and suggestions for the way forward in the Committee's work (see S/PV.5806). He stated that, to enable the more active assistance of experts to individual countries, the possibility of a trust fund should be considered. The Committee has been able to draw on earmarked funds from the existing Office for Disarmament Affairs-run Global and Regional Trust Fund for Disarmament Activities for selected outreach activities, which, however, until recent donations, were exhausted. However, there are a number of areas of assistance for which States have recurrently expressed a clear interest during outreach events and for which additional financial resources would be necessary. They include:

Assistance to States in identifying their priority areas for assistance in implementing resolution 1540 (2004), especially those States having difficulty in preparing or elaborating reports on implementation of the resolution, but also other States that express a need for assistance in specific areas;

Assistance to States in preparing national documents for implementing all aspects of resolution 1540 (2004). This activity is important to facilitate stocktaking with regard to relevant multilateral or bilateral assistance programmes already in place, and in facilitating the matching of assistance requests and offers to address the priority areas identified by States;

Provision for: (i) missions by experts to individual countries requesting advisory services on implementation, organized on an interdepartmental basis;

and (ii) workshops for member States of subregional groups or groupings of States with similar concerns.

115. Since 2006, a need was identified to take better advantage of voluntary funding to carry out such activities on a scale that meets States' requests. Major donors have expressed their interest in making voluntary funding available to that effect. Assistance activities could be substantially enhanced if donors were oriented towards an appropriate means to make resources available, if commitments were increased and if full advantage was taken of such voluntary funding to carry out the activities referred to above.

116. In paragraph 13 of resolution 1810 (2008), the Committee was requested to consider options for developing and making more effective existing funding mechanisms, and to report to the Security Council on its consideration of the matter by no later than 31 December 2008.

VIII. Cooperation

A. Cooperation with subsidiary bodies of the Security Council

117. The Committee maintained close cooperation with the Security Council Committee established pursuant to resolution 1267 (1999), concerning Al-Qaida and the Taliban, and the Security Council Committee established pursuant to resolution 1373 (2001), concerning counter-terrorism, as envisaged in resolution 1566 (2004) and in joint briefings of the Committees to the Security Council. At the 14 November 2007 briefing, Ambassador Verbeke, Chairman of the 1267 Committee, introduced a joint statement on behalf of the three Chairmen in which information was provided on the cooperation between the three Committees.

118. A major change since April 2006 has been increased coordination between the Committee, the Counter-Terrorism Committee and the Committee established pursuant to resolution 1267 (1999), through their expert groups, and the Terrorism Prevention Branch of UNODC. Increased efforts were made to maximize coordination, for example to streamline approaches to States seeking more efficient and effective ways to implement the relevant resolutions.

119. To that end, the Committees, through their experts, participated in common activities to approach States that had still to submit responses to all three Committees, such as outreach workshops organized by the Terrorism Prevention Branch of UNODC for western and central African States in Senegal in September 2007 and for central and eastern African States in Botswana in November 2007. UNODC also organized workshops with the Pacific Islands Forum in Fiji in June 2007 and 2008, to which the Committee sent an expert to facilitate reporting and implementation of respective resolutions in the Pacific subregion.

120. Joint activities also included the provision of information on the implementation of resolution 1540 (2004) for country visits by representatives of the Counter-Terrorism Committee Executive Directorate and the 1267 Monitoring Team; participation in the fifth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on the theme "Prevention of terrorist movement and border security" in Kenya in October 2007, and in the Counter-Terrorism Implementation Task Force meeting at United Nations

Headquarters in December 2007; and the development of common approaches in providing technical assistance to States, including working with UNODC-sponsored consultants providing legislative assistance to States in the Caribbean and members of the Pacific Islands Forum.

B. Cooperation with international and regional organizations and arrangements

121. The emphasis of resolution 1673 (2006) on the role of international organizations in the implementation of resolution 1540 (2004) resulted in major developments and initiatives in the work of the Committee since April 2006.

122. The cooperation of the Committee and its experts with intergovernmental organizations and regional organizations is aimed at facilitating State implementation of resolution 1540 (2004). Those organizations provide forums and opportunities to share experience and lessons learned. Intergovernmental organizations, in accordance with their mandates, provide guidelines and standards, and technical assistance programmes that States can implement in accordance with their national circumstances, while regional organizations play a politically supportive role by bringing to the attention of their member States the urgency of implementation of resolution 1540 (2004).

123. At the end of December 2007, the Committee sent letters to the heads of 34 intergovernmental, regional and subregional organizations, as well as export control regimes and other arrangements, asking them to request their respective member States to implement resolution 1540 (2004). By July 2008, 15 had replied.

1. Intergovernmental organizations

124. On 23 February 2007, the Security Council open debate[6] on the implementation of resolutions 1540 (2004) and 1673 (2006) featured the role of intergovernmental organizations, in particular of IAEA, OPCW and WCO. That debate, which was concluded with a presidential statement, discussed the roles of IAEA and OPCW as organizations named in resolution 1540 (2004), and gave new prominence to WCO with its competency in customs and border control functions and its 2005 SAFE Framework of Standards to facilitate States' implementation of measures to prevent illicit trafficking of nuclear, chemical and biological weapons and means of delivery, and of related materials.

125. Representatives of those three organizations were consistently invited to speak at the six regional and subregional workshops on the implementation of resolution 1540 (2004) organized by the Office for Disarmament Affairs since April 2006. Additionally, through an exchange of letters with IAEA[7] and OPCW,[8] understandings with the Committee and the Office for Disarmament Affairs were developed on cooperative measures to share best practices and raise awareness of

[6] S/PV.5635: Security Council debate on the implementation of resolutions 1540 (2004) and 1673 (2006), 23 February 2007.

[7] S/AC.44/2007/Note 93: Letter from IAEA on the visit by two 1540 experts.

[8] S/AC.44/2007/Note 63/Add.1: Letter from OPCW on the visit to The Hague by the Chairman of the 1540 Committee and two experts on 24 May 2007.

their assistance programmes to facilitate State implementation of resolution 1540 (2004) requirements.

126. Cooperation with intergovernmental organizations in terms of information exchange and participation in outreach activities was further developed as the Committee facilitated States' implementation of measures relevant to resolution 1540 (2004) consistent with certain provisions in the recently adopted declarations and conventions. This was demonstrated by the cooperation with WCO with respect to the implementation of its SAFE Framework of Standards, with IAEA and the Office on Drugs and Crime regarding implementation of the Convention against Nuclear Terrorism and ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material, and with the International Maritime Organization (IMO) concerning the two instruments of 2005: the Protocol to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

127. Moreover, representatives of some multilateral arrangements dealing with export controls, as well as intergovernmental organizations, have briefed the Committee on the relevance of their activities to its work, inter alia the Financial Action Task Force and the North Atlantic Treaty Organization (NATO).

2. Regional organizations

128. As outreach activities focused more on subregions in the period 2006-2008, cooperation with regional organizations increased, enabling them to encourage their member States to implement the resolution in ways compatible with the historical, cultural and legislative norms of the region.

129. Regional organizations with which the Committee and the Office for Disarmament Affairs have cooperated specifically in outreach workshops include the African Union (AU), the ASEAN Regional Forum, the Commonwealth of Independent States, the European Union (EU), the League of Arab States, the Organization of American States (OAS) and the Organization for Security and Cooperation in Europe (OSCE). Cooperation was also developed with subregional organizations, notably the Caribbean Community (CARICOM), the Economic Community of West African States, the Pacific Islands Forum Secretariat and the Southern African Development Community. The activities of some of those organizations in turn provided opportunities for the participation of representatives of the Committee and its experts.

130. The ASEAN Regional Forum,[9] the Collective Security Treaty Organization (CSTO),[10] OAS,[11] and OSCE[12] each held workshops for their members concerning

[9] ASEAN Regional Forum, "Statement supporting national implementation of United Nations Security Council resolution 1540 (2004)", Ministerial Meeting, 2 August 2007, at www.state.gov/documents/organization/91400.pdf.

[10] Letter from the Secretary-General of CSTO to the 1540 Committee Chairman, 6 February 2008.

[11] Organization of American States, General Assembly resolution AG/RES. 2333 (XXXVII O/07) entitled "Support for implementation at the hemispheric level of United Nations Security Council resolution 1540 (2004)", 5 June 2007, at www.state.gov/documents/organization/91210.pdf.

[12] Forum for Security Cooperation, Organization for Security and Cooperation in Europe (OSCE), Decision No. 6/06, "OSCE FSC Workshop on the Implementation of UNSCR 1540 (2004)",

implementation of resolution 1540 (2004) and/or adopted decisions or resolutions on, or that included, statements encouraging their respective member States to implement resolution 1540 (2004) and, as appropriate, to develop national action plans. Following the ASEAN Regional Forum workshop, a member State submitted a detailed assistance request to the Committee, which a donor State has agreed to support. Furthermore, within the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction, the European Union adopted a joint action in support of 1540 Committee outreach activities.

IX. Transparency

131. As an integral part of its fifth programme of work, extended by the sixth, the Committee continued to maintain transparency as an important objective of its work. To that end the Committee, through briefings by its Chairman, continued formally to inform the Security Council of its work. The Committee's outreach activities also contribute to transparency, with its benefit to Member States and international, regional and subregional organizations.

132. Recognizing that the website of the Committee, as its public face, is a powerful medium for maintaining transparency, the Committee approved its redesign in order to enrich its content, make it more navigable and enhance its overall aesthetic appeal. The website (www.un.org/sc/1540), as upgraded by the Committee with the assistance of the Department of Public Information and the Office for Disarmament Affairs, was relaunched on 26 December 2007.

133. The Committee remains seized of the matter of the posting of matrices on its website.

134. The Committee considers and approves from time to time the categories of information that appear on its website.

X. Conclusions and recommendations

135. Pursuant to resolution 1673 (2006), the Committee, during the period under review, has intensified its efforts to promote the full implementation by all States of resolution 1540 (2004), in particular in the areas of outreach and assistance.

136. Major conferences held, inter alia, in Africa, Asia, Latin America and the Caribbean, and the Middle East involved the majority of States Members of the United Nations and contributed, together with other outreach activities, to a much greater awareness of the importance of resolution 1540 (2004) and its implementation for the security and well-being of all States.

137. Following the open meeting of the Security Council in February 2007, the Committee expanded its cooperation with relevant international and regional organizations, seeking to involve them more actively in practical implementation of resolution 1540 (2004). Several of those organizations adopted decisions specifically aimed at promoting implementation by their members.

FSC.DEC.6/06, 27 September 2006, at www.osce.org/documents/fsc/2006/09/20795_en.pdf, and Ministerial Council Decision No. 10/06, "Supporting National Implementation of UNSCR 1540 (2004), MC.DEC/10/06, 5 December 2006.

138. The Committee increased its attention to its clearing house role in facilitating assistance required to fully implement the resolution. The decisions adopted by the Committee in that regard, including approval of an assistance template designed to help States identify their assistance needs in line with the requirements set out in resolution 1540 (2004), as well as its interaction with potential donors and recipients of assistance, provided a solid foundation for further assistance efforts by the international community.

139. The information obtained by the Committee during the reporting period clearly demonstrates that States have initiated measures to meet more fully their obligations under resolution 1540 (2004). The full implementation of the resolution, however, is a long-term endeavour requiring ongoing outreach and assistance programmes tailored to the needs of each State. To that end, in resolution 1810 (2008), the Security Council decided to extend the Committee's mandate for a further period of three years.

140. In order to promote full implementation by all States of resolution 1540 (2004), the Committee makes the following recommendations, consistent with resolution 1810 (2008):

(a) The recommendations of the Committee in its report to the Security Council in 2006 should be reaffirmed;

(b) States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) should be encouraged to submit such a report to the Committee without delay;

(c) States that have submitted such reports should be encouraged to provide, at any time or upon the request of the Committee, additional information on their implementation of resolution 1540 (2004);

(d) States that have requests for assistance should be encouraged to convey them to the Committee, and to make use of the Committee's assistance template to that effect; States and international, regional and subregional organizations should inform the Committee of areas in which they are able to provide assistance and, if they have not done so previously, provide the Committee with a point of contact for assistance;

(e) States should be encouraged to prepare on a voluntary basis, with the assistance of the Committee as appropriate, summary action plans mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the Committee;

(f) The Committee should continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation of information on the status of States' implementation of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation, and which addresses in particular all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3, which encompasses (a) accountability, (b) physical protection, (c) border controls and law enforcement efforts and (d) national export and trans-shipment controls, including controls on providing funds and services such as financing to such export and trans-shipment;

(g) The ongoing dialogue between the Committee and States on their further actions to implement fully resolution 1540 (2004) and on technical assistance needed and offered should be pursued;

(h) The Committee should continue to organize and participate in outreach events at the regional, the subregional and, as appropriate, the national level promoting States' implementation of resolution 1540 (2004);

(i) The Committee should continue strengthening its role in facilitating technical assistance for implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the Committee;

(j) The Committee should engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004) and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004);

(k) The Committee should provide opportunities for interaction with interested States and relevant international, regional and subregional organizations to promote implementation of resolution 1540 (2004);

(l) The ongoing cooperation between the 1540 Committee, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban, and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism needs to be enhanced, including through, as appropriate, enhanced information sharing, coordination on visits to countries within their respective mandates, technical assistance and other issues of relevance to all three committees, and expresses its intention to provide guidance to the committees on areas of common interest in order better to coordinate their efforts;

(m) The Committee should encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004) and the Committee should consider options for developing and making more effective existing funding mechanisms.

Annex I

Experts appointed to assist the Committee during its current mandate

Name	*Country*
Andemicael, Berhanykun[a]	Eritrea
Bosch, Olivia	United Kingdom of Great Britain and Northern Ireland
Cerini, Ana Maria	Argentina
Cupitt, Richard[b]	United States of America
Heineken, Gunterio[c]	Argentina
Howlett, Brad	Australia
Interlandi, Isabella	Italy
Monteleone-Neto, Roque[d]	Brazil
Siddhartha, Venkatasubbiah	India
Slipchenko, Victor	Russian Federation

[a] Coordinator.
[b] Point of contact for assistance.
[c] Until July 2007.
[d] Until February 2007.

Annex II

List of documents related to the work of the Committee

Title	*Date*	*Document number or website*
Committee's report 2006	25 April 2006	S/2006/257 and Corr.1
		www.un.org/sc/1540/committeereports.shtml
Security Council resolution 1673 (2006)	27 April 2006	S/RES/1673 (2006)
		www.un.org/sc/1540/resolutionstatements.shtml
Security Council resolution 1810 (2008)	25 April 2008	S/RES/1810 (2008)
		www.un.org/sc/1540/resolutionstatements.shtml
Statement by the President of the Security Council	23 February 2007	S/PRST/2007/4
		www.un.org/sc/1540/resolutionstatements.shtml
Programmes of work		www.un.org/sc/1540/programofwork.shtml
Chairman's briefings to the Security Council	30 May 2006	www.un.org/sc/1540/chairpersonsbriefings.shtml
	28 September 2006	
	22 May 2007	
	14 November 2007	
	17 December 2007	
	6 May 2008	
Letters from the Secretary-General to the President of the Security Council on the appointment of experts	15 February 2007	S/2007/95
	11 May 2007	S/2007/272
Notes by the President of the Security Council on the appointment of chairmen and vice-chairmen	18 January 2007	S/2007/20
	3 January 2008	S/2008/2
Assistance template		www.un.org/sc/1540/assistancetemplate.shtml

Annex III

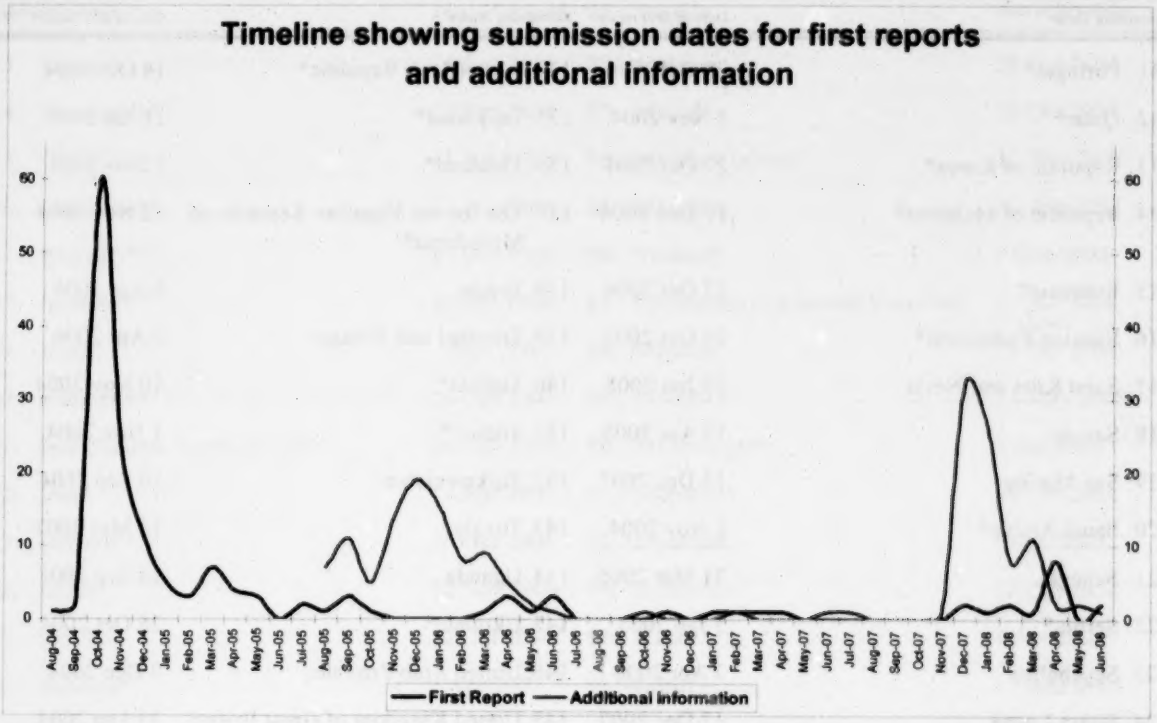
Member States that had submitted national reports or additional information as at 1 July 2008

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
1. Albania*	28 Oct 2004	27. Cambodia	21 Mar 2005
2. Algeria*	10 Nov 2004	28. Canada*	31 Dec 2004
3. Andorra*	27 Oct 2004	29. Chile*	27 Oct 2004
4. Angola	27 Oct 2004	30. China*	4 Oct 2004
5. Antigua and Barbuda	6 Nov 2006	31. Colombia	10 Feb 2005
6. Argentina*	26 Oct 2004	32. Costa Rica*	4 Aug 2004
7. Armenia*	9 Nov 2004	33. Croatia*	29 Nov 2004
8. Australia*	28 Oct 2004	34. Cuba*	28 Oct 2004
9. Austria*	28 Oct 2004	35. Cyprus*	24 Nov 2004
10. Azerbaijan*	28 Oct 2004	36. Czech Republic*	27 Oct 2004
11. Bahamas	28 Oct 2004	37. Democratic Republic of the Congo	24 Apr 2008
12. Bahrain*	22 Dec 2004	38. Denmark*	27 Oct 2004
13. Bangladesh	27 Jun 2006	39. Djibouti	17 Mar 2005
14. Barbados	28 Mar 2008	40. Dominica	17 Apr 2008
15. Belarus*	20 Oct 2004	41. Ecuador*	7 Apr 2005
16. Belgium*	26 Oct 2004	42. Egypt*	28 Oct 2004
17. Belize*	20 Oct 2004	43. El Salvador	28 Sep 2005
18. Benin	3 Mar 2005	44. Eritrea	22 Jun 2006
19. Bolivia*	8 Mar 2005	45. Estonia*	29 Oct 2004
20. Bosnia and Herzegovina*	22 Nov 2004	46. Fiji	4 Feb 2008
21. Botswana	18 Apr 2008	47. Finland*	28 Oct 2004
22. Brazil*	29 Oct 2004	48. France*	28 Oct 2004
23. Brunei Darussalam*	30 Dec 2004	49. Georgia*	28 Oct 2004
24. Bulgaria*	18 Nov 2004	50. Germany*	26 Oct 2004
25. Burkina Faso	4 Jan 2005	51. Ghana	5 Nov 2004
26. Burundi	4 Apr 2008	52. Greece*	22 Oct 2004

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
53. Grenada	26 Sep 2005	82. Malaysia	26 Oct 2004
54. Guatemala*	27 Oct 2004	83. Malta*	20 Oct 2004
55. Guyana*	11 Nov 2004	84. Marshall Islands	23 Nov 2004
56. Honduras*	20 Jun 2006	85. Mauritius	30 Apr 2007
57. Hungary*	27 Oct 2004	86. Mexico*	7 Dec 2004
58. Iceland*	28 Oct 2004	87. Micronesia (Federated States of)	27 Jun 2008
59. India*	1 Nov 2004	88. Monaco*	29 Oct 2004
60. Indonesia*	28 Oct 2004	89. Mongolia	31 May 2005
61. Iran (Islamic Republic of)*	28 Feb 2005	90. Montenegro*	5 Jan 2005
62. Iraq*	13 Apr 2005	91. Morocco*	28 Oct 2004
63. Ireland*	28 Oct 2004	92. Myanmar	6 Apr 2005
64. Israel	22 Nov 2004	93. Namibia*	26 Oct 2004
65. Italy*	27 Oct 2004	94. Nauru	4 Apr 2008
66. Jamaica*	5 Apr 2005	95. Nepal	17 Mar 2006
67. Japan*	28 Oct 2004	96. Netherlands*	28 Oct 2004
68. Jordan*	9 Feb 2005	97. New Zealand*	28 Oct 2004
69. Kazakhstan*	3 Nov 2004	98. Nicaragua	26 Jan 2007
70. Kenya*	20 Jul 2005	99. Niger	11 Jan 2008
71. Kiribati	1 May 2006	100. Nigeria	28 Oct 2004
72. Kuwait	31 Mar 2005	101. Norway*	28 Oct 2004
73. Kyrgyzstan*	14 Dec 2004	102. Oman*	17 Dec 2004
74. Lao People's Democratic Republic	3 May 2005	103. Pakistan*	27 Oct 2004
75. Latvia*	28 Oct 2004	104. Palau	10 Apr 2008
76. Lebanon*	20 Oct 2004	105. Panama*	12 Jul 2005
77. Libyan Arab Jamahiriya*	12 Apr 2005	106. Papua New Guinea	24 Apr 2008
78. Liechtenstein*	29 Nov 2004	107. Paraguay*	3 Nov 2004
79. Lithuania*	27 Oct 2004	108. Peru*	1 Nov 2004
80. Luxembourg*	29 Oct 2004	109. Philippines*	28 Oct 2004
81. Madagascar	27 Feb 2008	110. Poland*	27 Oct 2004

Submitting States	*Date of first report*	*Submitting States*	*Date of first report*
111. Portugal*	28 Oct 2004	134. Syrian Arab Republic*	14 Oct 2004
112. Qatar*	5 Nov 2004	135. Tajikistan*	11 Jan 2005
113. Republic of Korea*	27 Oct 2004	136. Thailand*	5 Nov 2004
114. Republic of Moldova*	17 Dec 2004	137. The former Yugoslav Republic of Macedonia*	22 Nov 2004
115. Romania*	27 Oct 2004	138. Tonga	5 Apr 2006
116. Russian Federation*	26 Oct 2004	139. Trinidad and Tobago	7 Apr 2006
117. Saint Kitts and Nevis	30 Jun 2008	140. Tunisia*	10 Nov 2004
118. Samoa	13 Apr 2006	141. Turkey*	1 Nov 2004
119. San Marino	13 Dec 2007	142. Turkmenistan	10 Sep 2004
120. Saudi Arabia*	1 Nov 2004	143. Tuvalu	13 Mar 2007
121. Senegal	31 Mar 2005	144. Uganda	14 Sep 2005
122. Serbia*	5 Jan 2005	145. Ukraine*	25 Oct 2004
123. Seychelles	7 Apr 2008	146. United Arab Emirates	9 Dec 2004
124. Sierra Leone	17 Dec 2007	147. United Kingdom of Great Britain and Northern Ireland*	29 Sep 2004
125. Singapore*	21 Oct 2004	148. United Republic of Tanzania	29 Aug 2005
126. Slovakia*	2 Nov 2004	149. United States of America*	12 Oct 2004
127. Slovenia*	28 Oct 2005	150. Uruguay*	22 Dec 2004
128. South Africa*	31 Jan 2005	151. Uzbekistan*	15 Nov 2004
129. Spain*	26 Oct 2004	152. Vanuatu	22 Feb 2007
130. Sri Lanka*	11 May 2005	153. Venezuela (Bolivarian Republic of)*	16 Nov 2004
131. Suriname	23 Jan 2008	154. Viet Nam*	26 Oct 2004
132. Sweden*	28 Oct 2004	155. Yemen	29 Dec 2004
133. Switzerland*	22 Oct 2004	Other submission: European Union	28 Oct 2004

* States that provided additional information on measures taken or planned to be taken to implement resolution 1540 (2004).


Timeline showing submission dates for first reports and additional information
60
50
40
30
20
10
0
Aug-04
Sep-04
Oct-04
Nov-04
Dec-04
Jan-05
Feb-05
Mar-05
Apr-05
May-05
Jun-05
Jul-05
Aug-05
Sep-05
Oct-05
Nov-05
Dec-05
Jan-06
Feb-06
Mar-06
Apr-06
May-06
Jun-06
Jul-06
Aug-06
Sep-06
Oct-06
Nov-06
Dec-06
Jan-07
Feb-07
Mar-07
Apr-07
May-07
Jun-07
Jul-07
Aug-07
Sep-07
Oct-07
Nov-07
Dec-07
Jan-08
Feb-08
Mar-08
Apr-08
May-08
Jun-08
First Report
Additional information

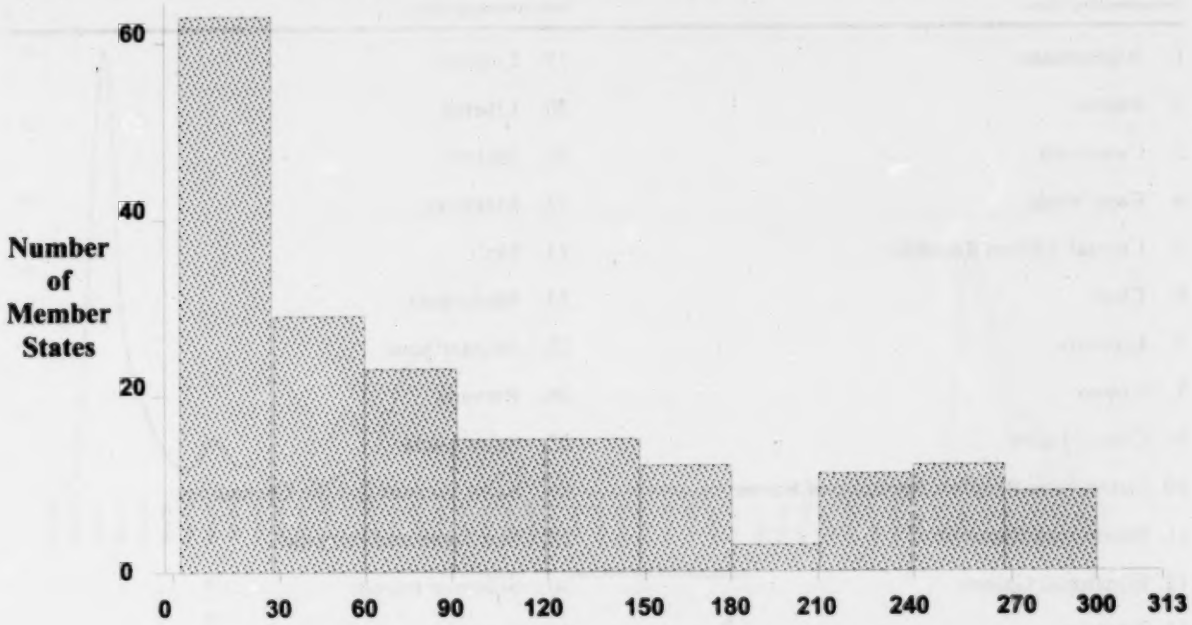
Annex IV

Member States that have not submitted a report as at 1 July 2008

Non-submitting States	*Non-submitting States*
1. Afghanistan	19. Lesotho
2. Bhutan	20. Liberia
3. Cameroon	21. Malawi
4. Cape Verde	22. Maldives
5. Central African Republic	23. Mali
6. Chad	24. Mauritania
7. Comoros	25. Mozambique
8. Congo	26. Rwanda
9. Côte d'Ivoire	27. Saint Lucia
10. Democratic People's Republic of Korea	28. Saint Vincent and the Grenadines
11. Dominican Republic	29. Sao Tome and Principe
12. Equatorial Guinea	30. Solomon Islands
13. Ethiopia	31. Somalia
14. Gabon	32. Sudan
15. Gambia	33. Swaziland
16. Guinea	34. Timor-Leste
17. Guinea Bissau	35. Togo
18. Haiti	36. Zambia
	37. Zimbabwe

Annex V

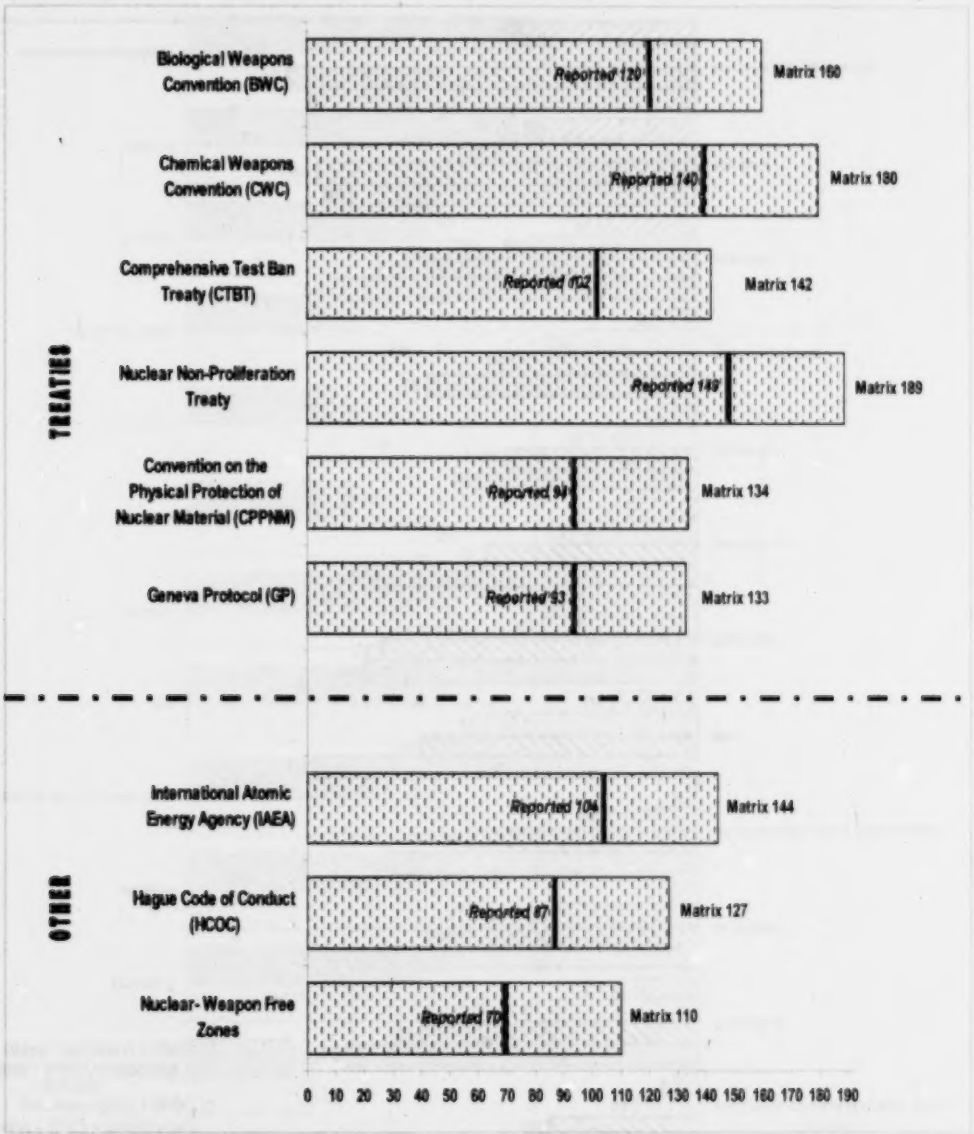
Extent of implementation as identified through the measures taken by States and reflected in their matrices



Note: The above chart is based on information compiled by the Committee on the 313 of the 382 matrix elements that pertain to implementation measures, for example those contained in paras. 2, 3 (a-d), 6 and 8 (d).

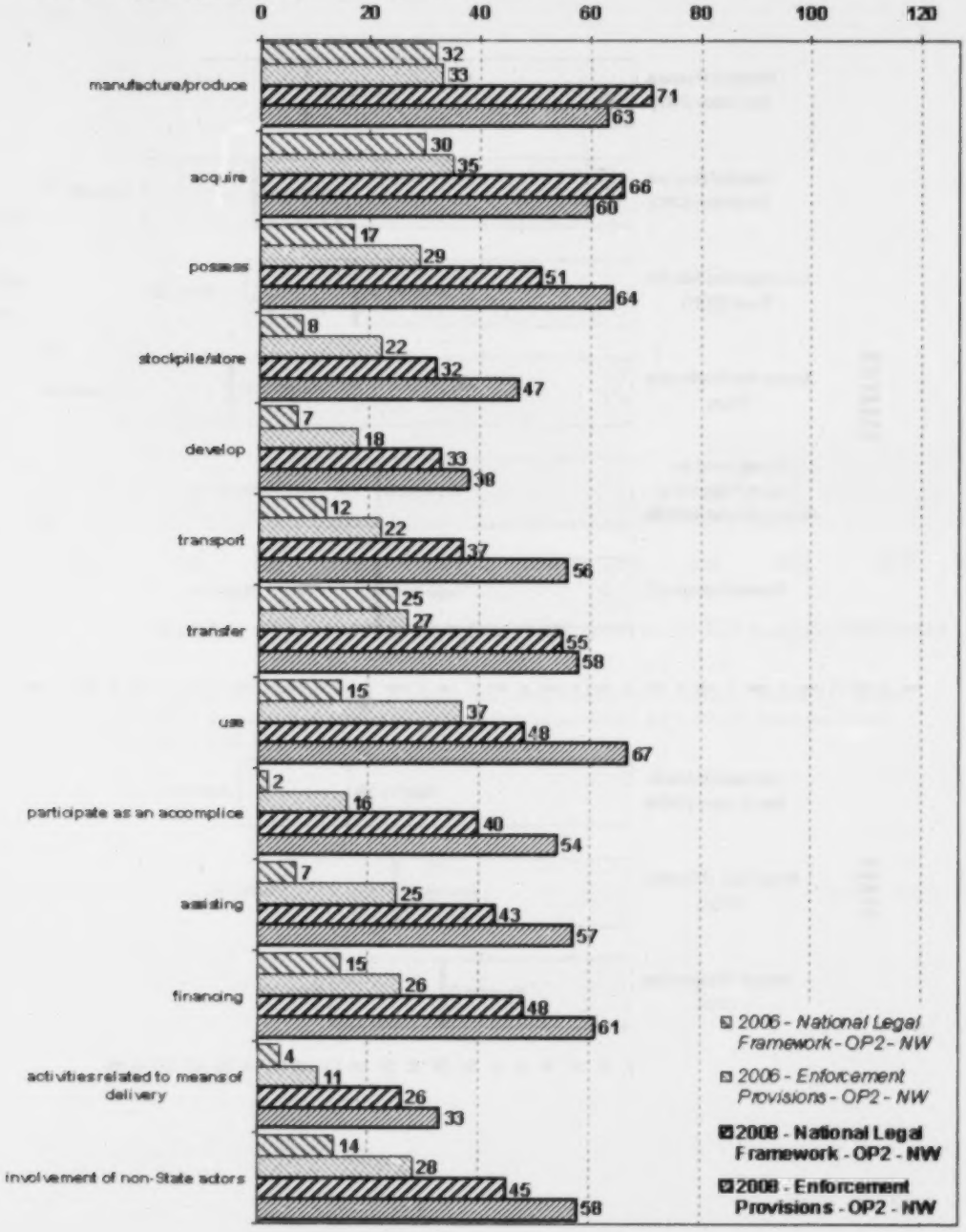
Annex VI

Adherence to non-proliferation treaties, conventions, protocols and other instruments relevant to Security Council resolution 1540 (2004) as reported by States and contained in States' matrices



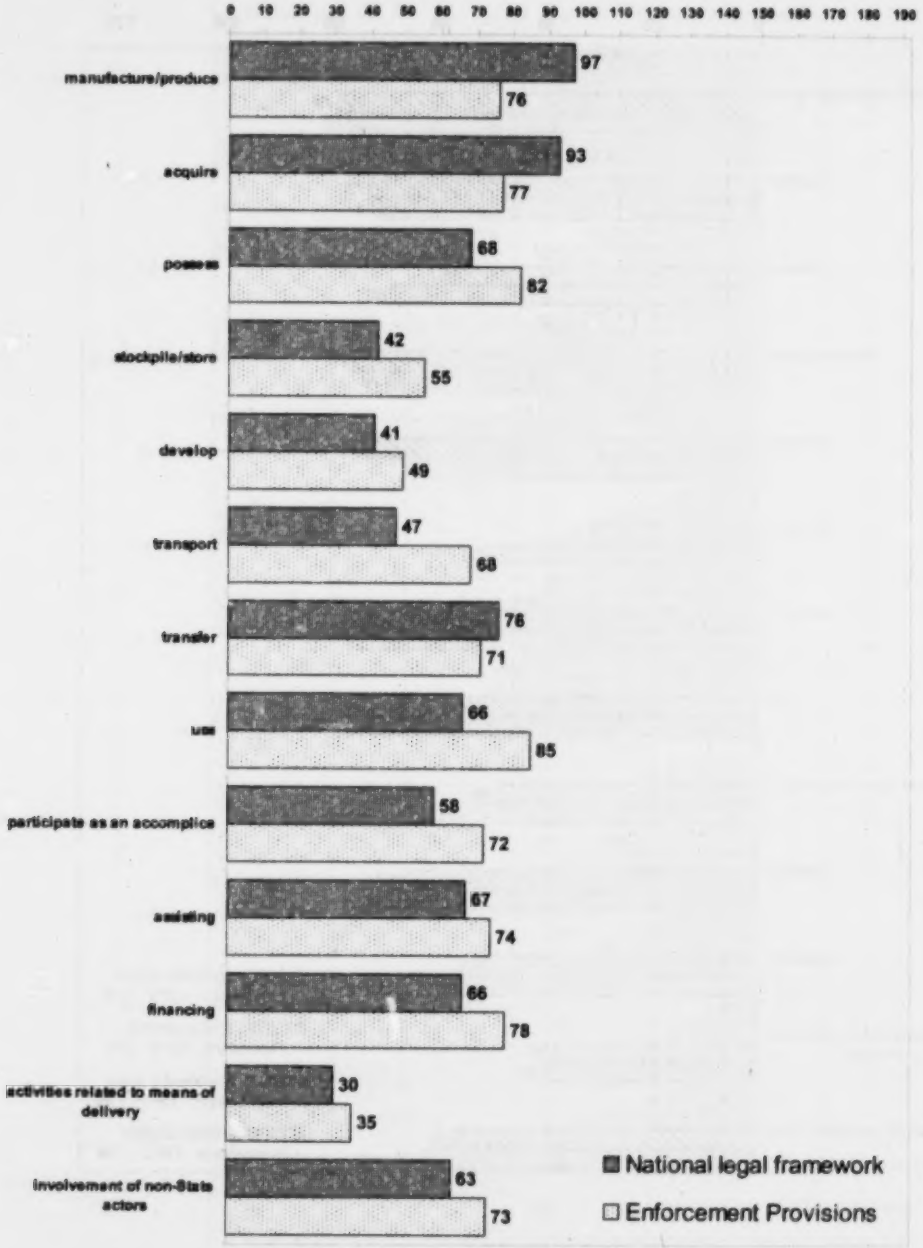
Annex VII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — nuclear weapons



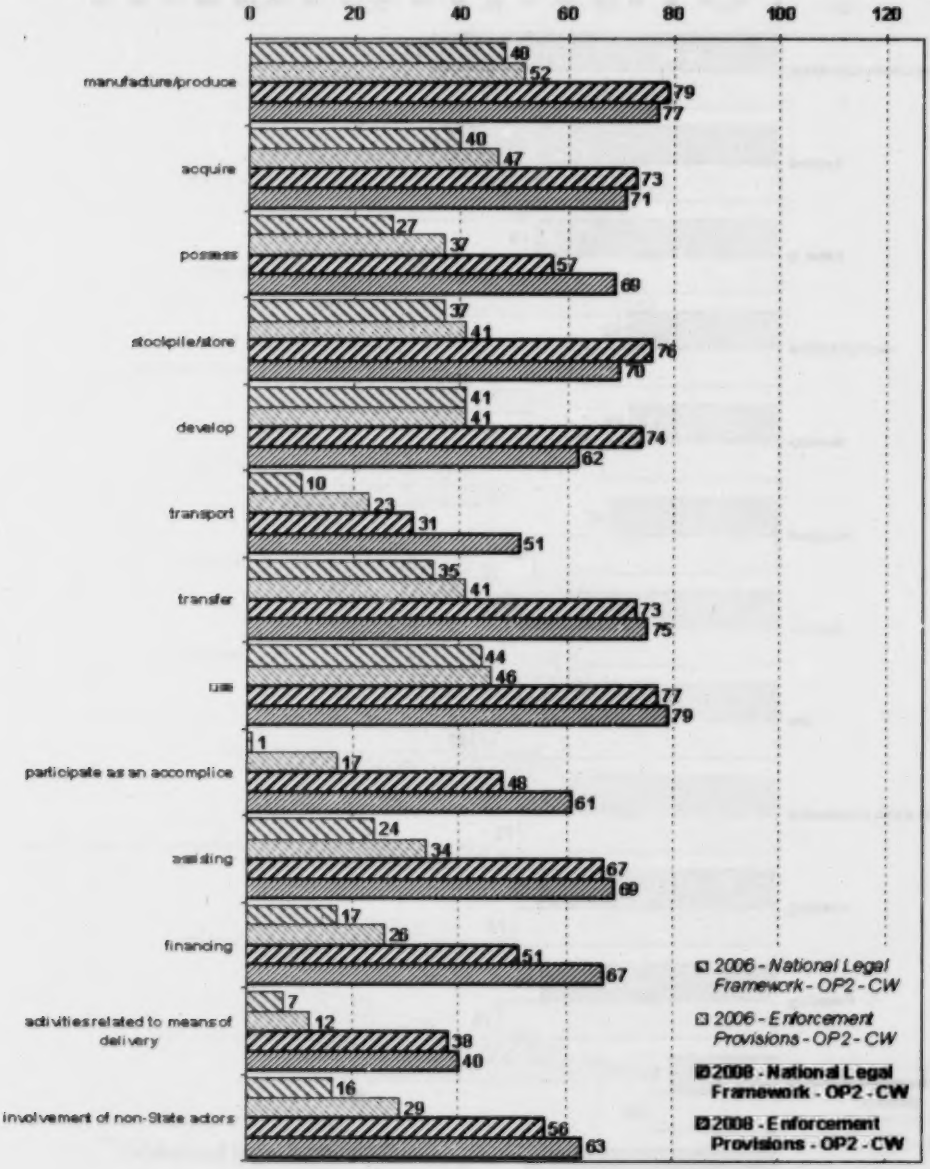
Annex VII.B

Current assessment of implementation for 192 Member States — paragraph 2 — nuclear weapons



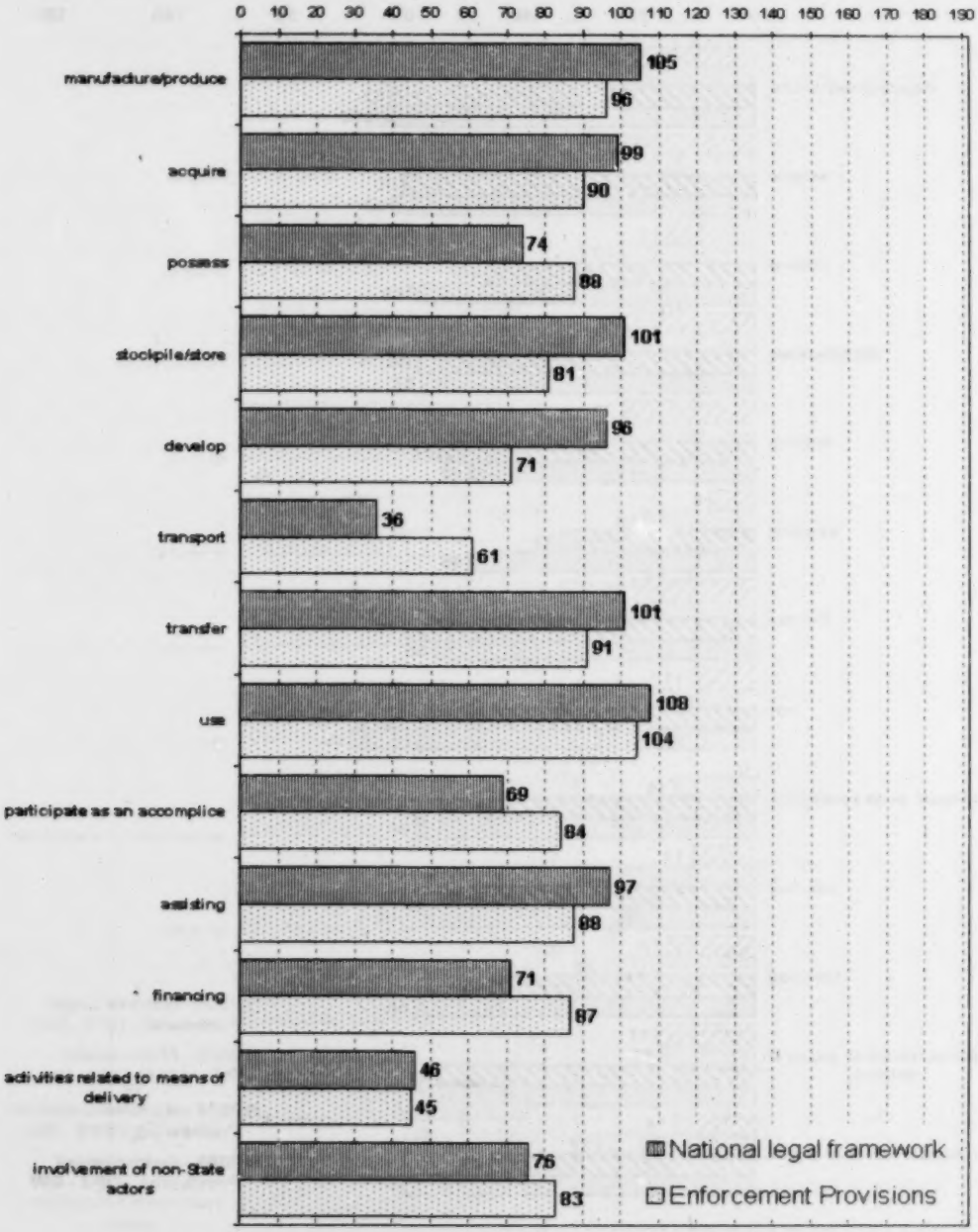
Annex VIII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — chemical weapons



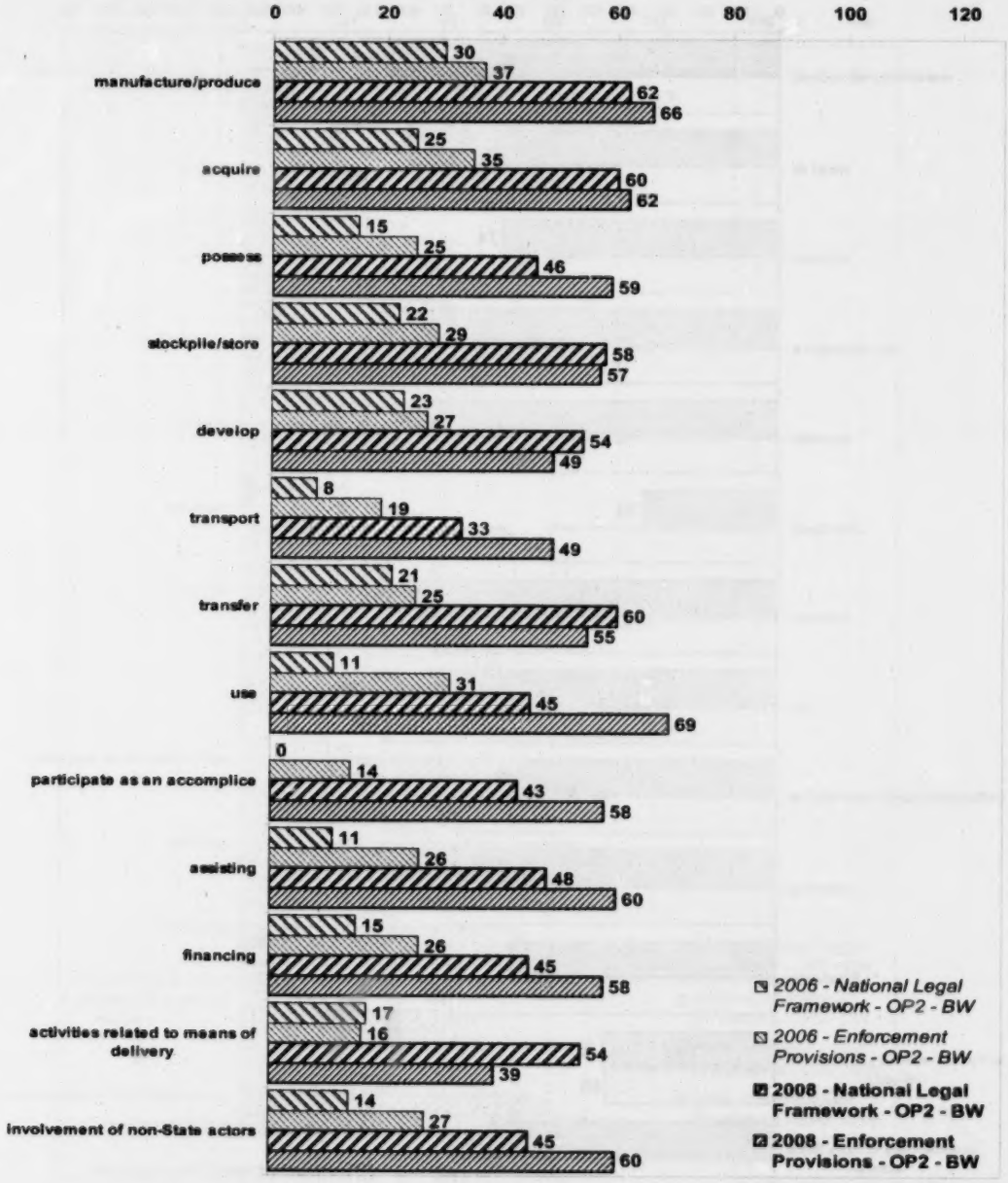
Annex VIII.B

Current assessment of implementation for 192 Member States — paragraph 2 — chemical weapons



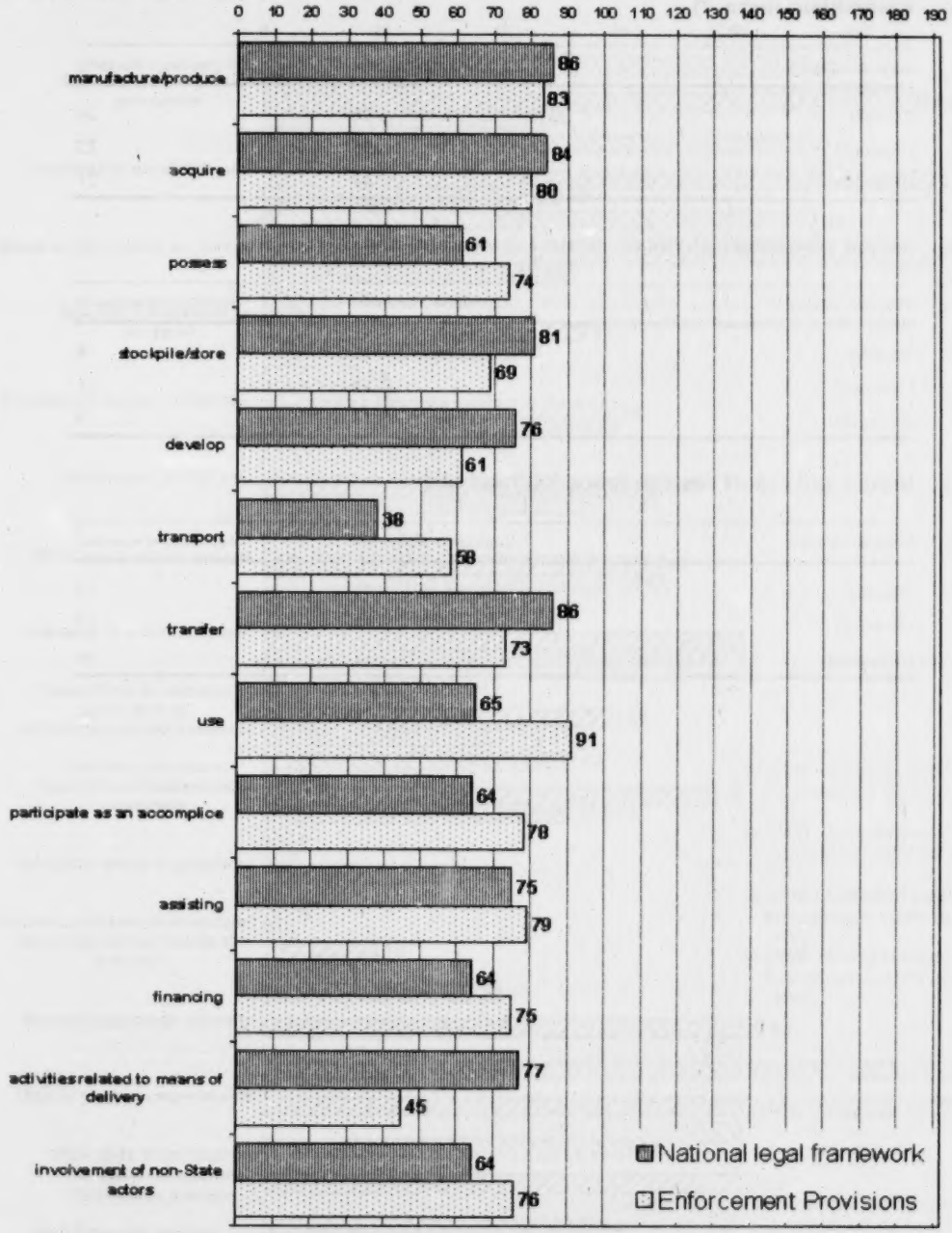
Annex IX.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 2 — biological weapons



Annex IX.B

Current assessment of implementation for 192 Member States — paragraph 2 — biological weapons



Annex X

Increases between 2006 and 2008 in the number of States reporting measures taken in respect of means of delivery

A. Prohibitions (para. 2)

Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	26	24
Chemical	35	32
Biological	44	27

B. Account for/secure/physically protect (para. 3 (a) and (b))

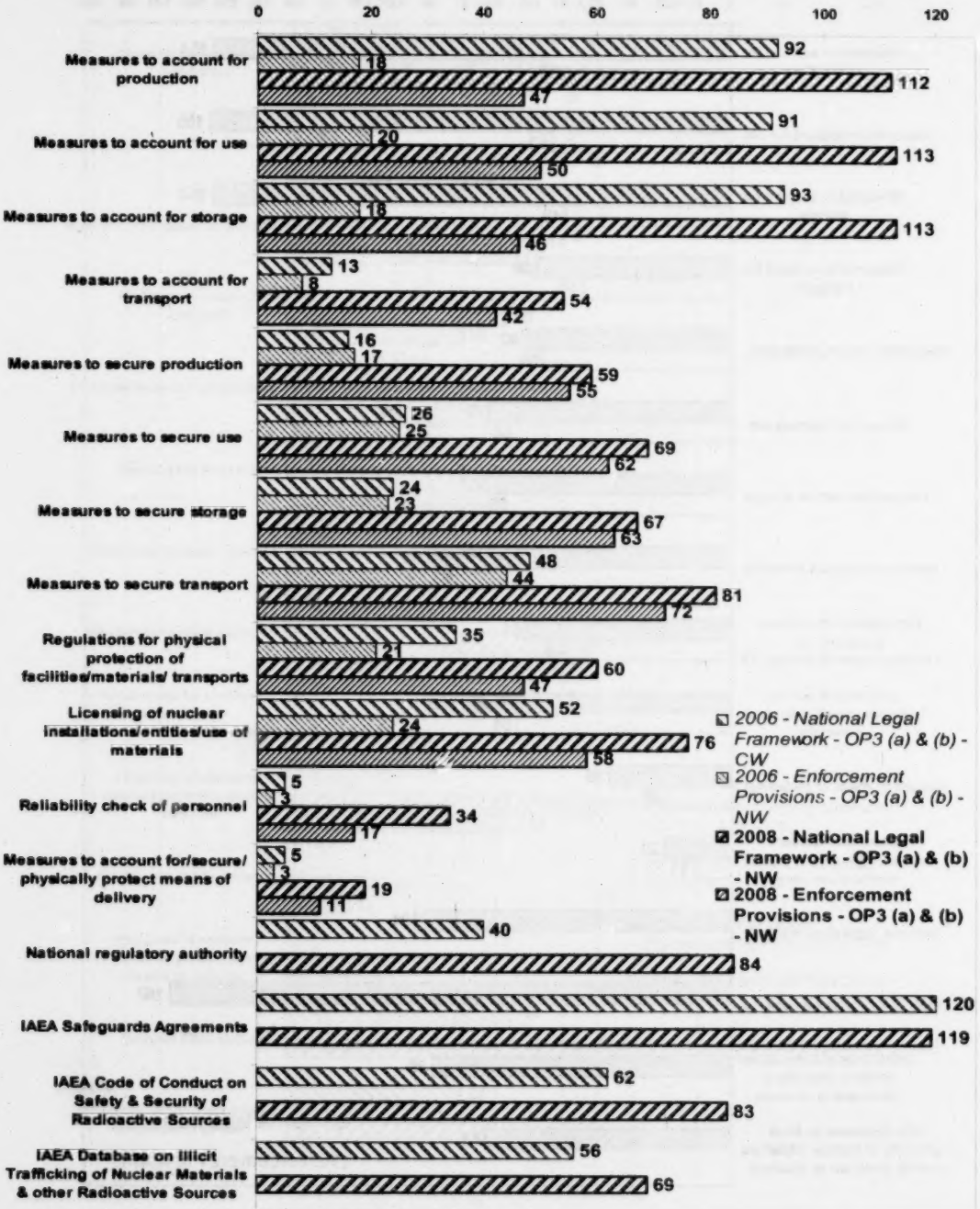
Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	14	8
Chemical	18	11
Biological	11	9

C. Border and export controls (para. 3 (c) and (d))

Weapons category	*Legislative framework*	*Enforcement measures*
Nuclear	11	15
Chemical	13	17
Biological	12	16

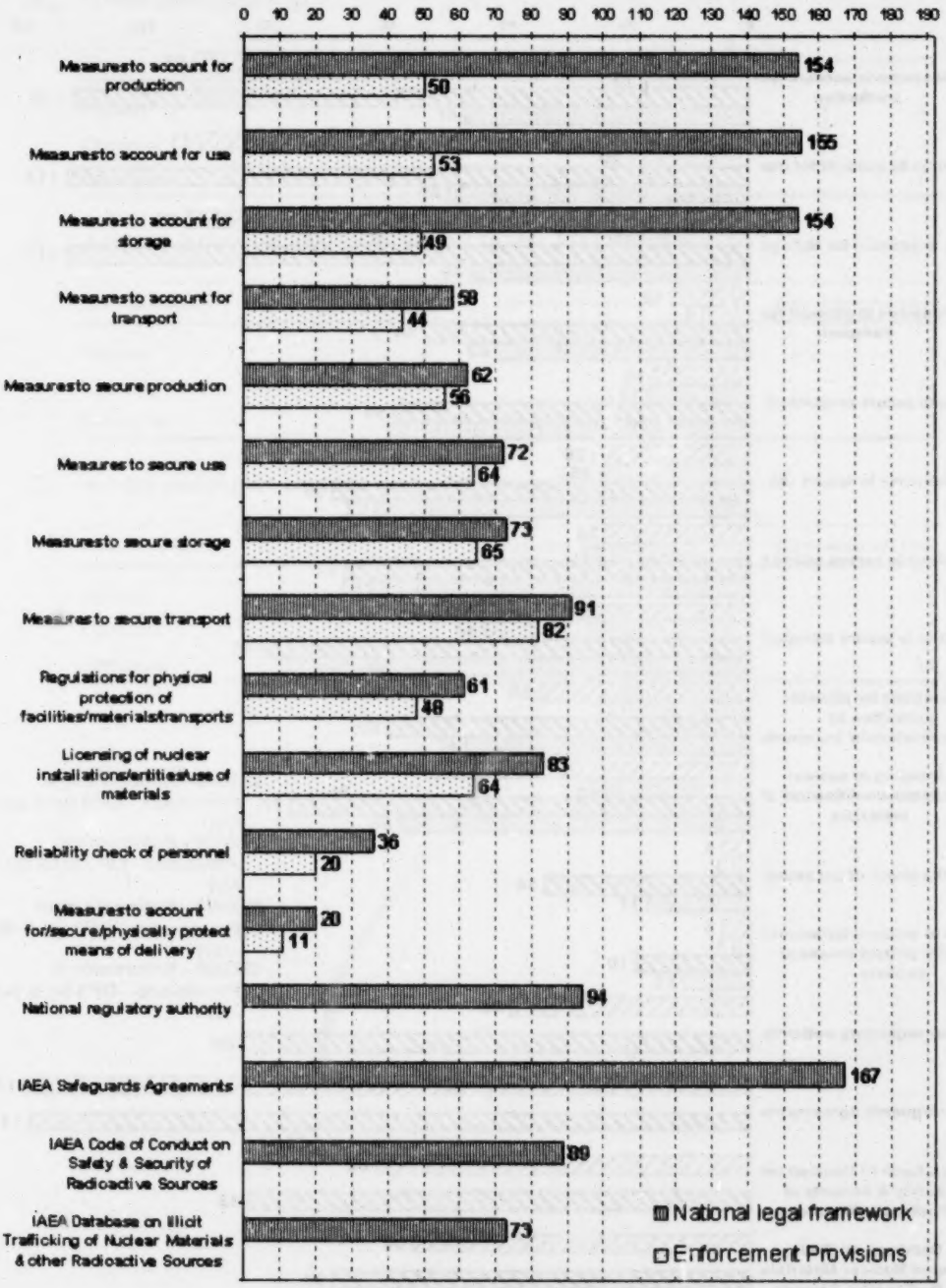
Annex XI.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — nuclear weapons and related materials



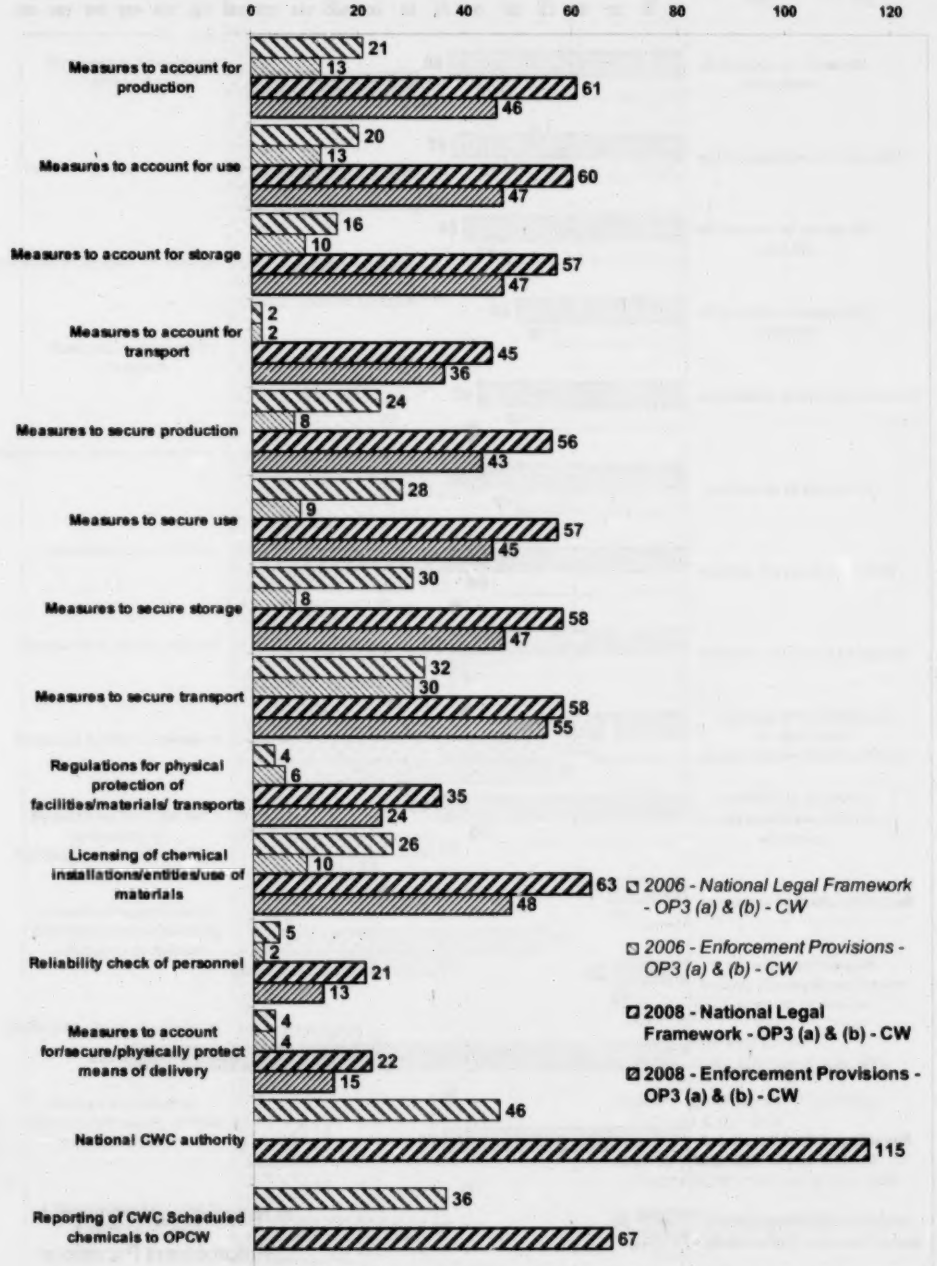
Annex XI.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — nuclear weapons and related materials



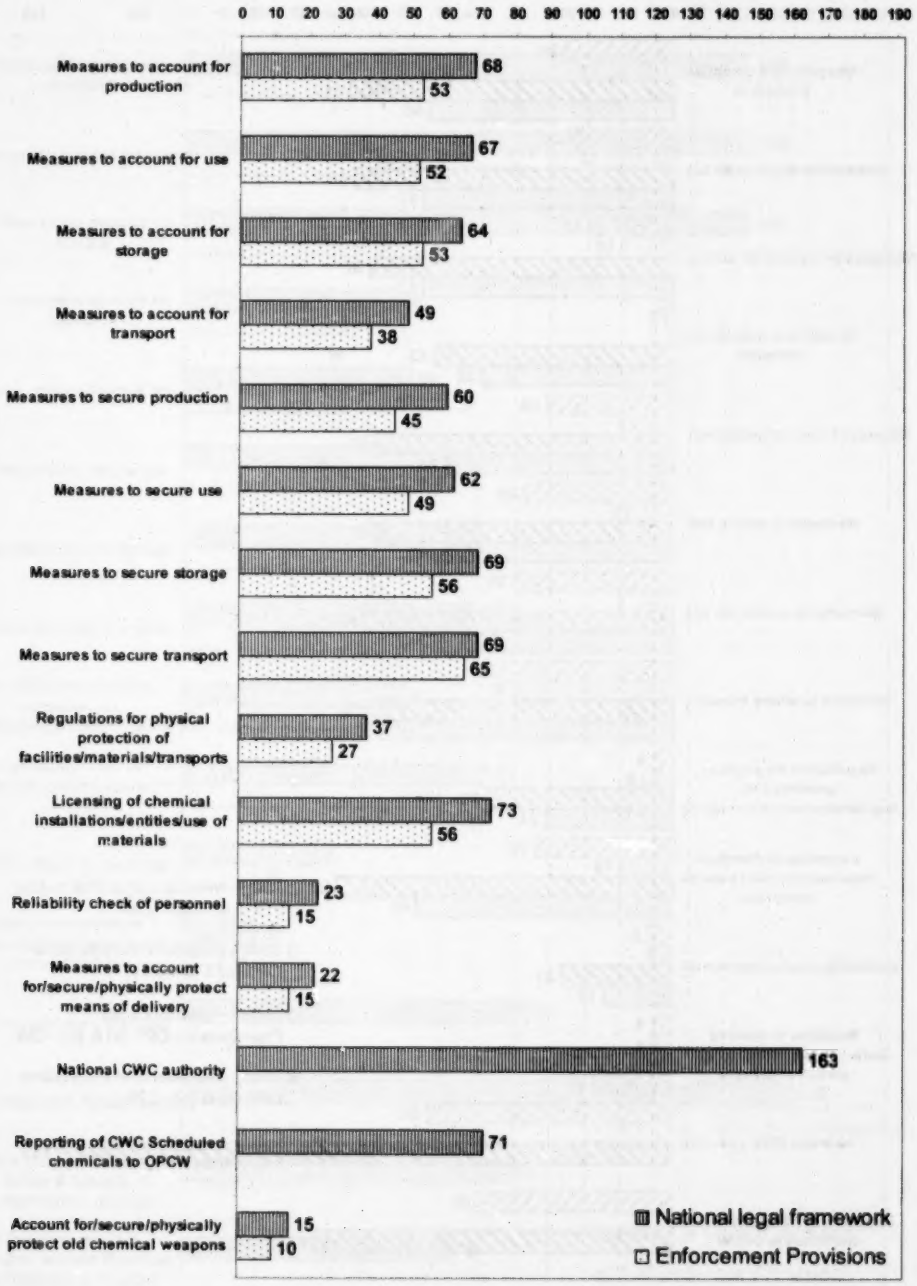
Annex XII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — chemical weapons and related materials



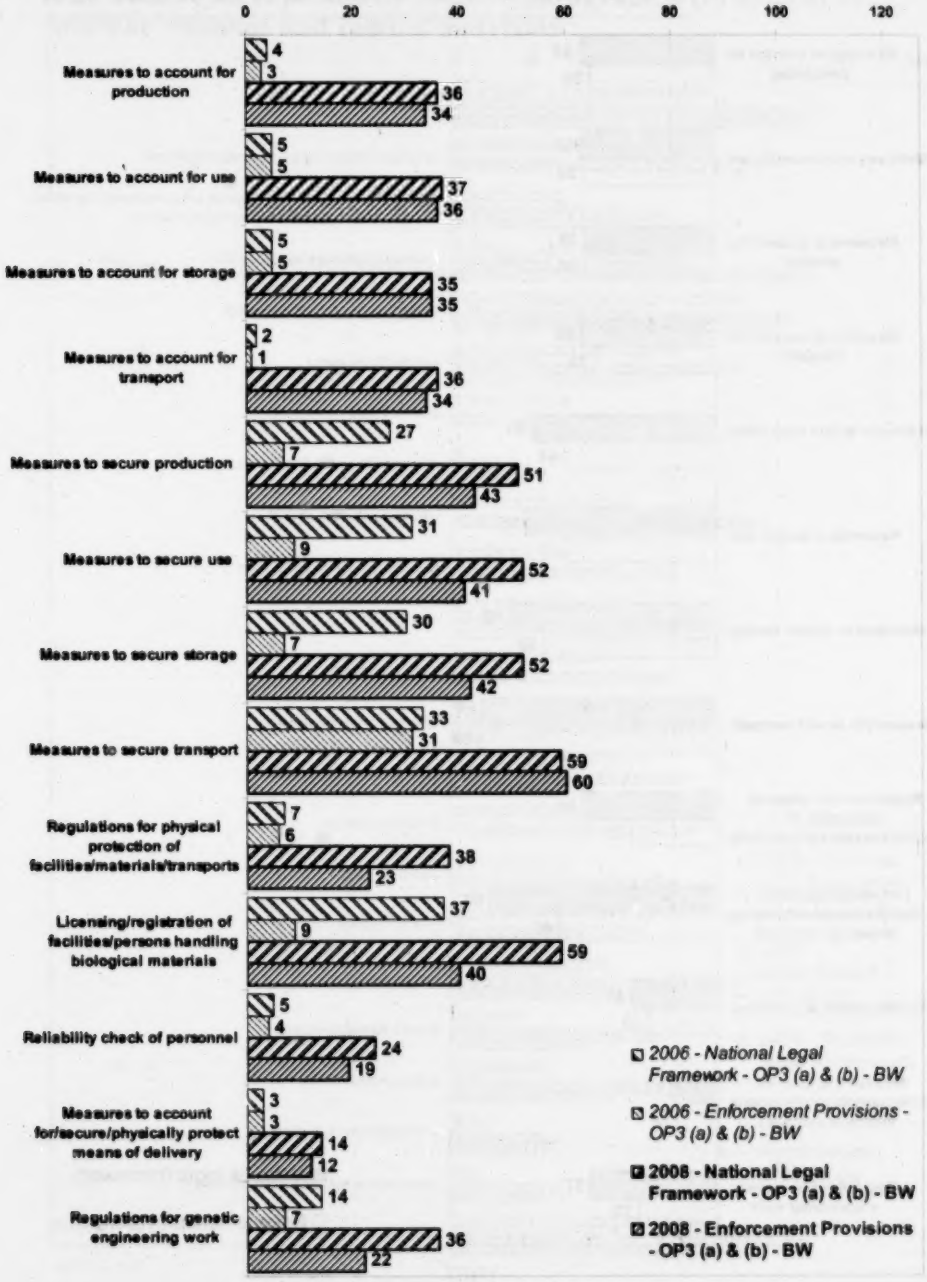
Annex XII.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — chemical weapons and related materials



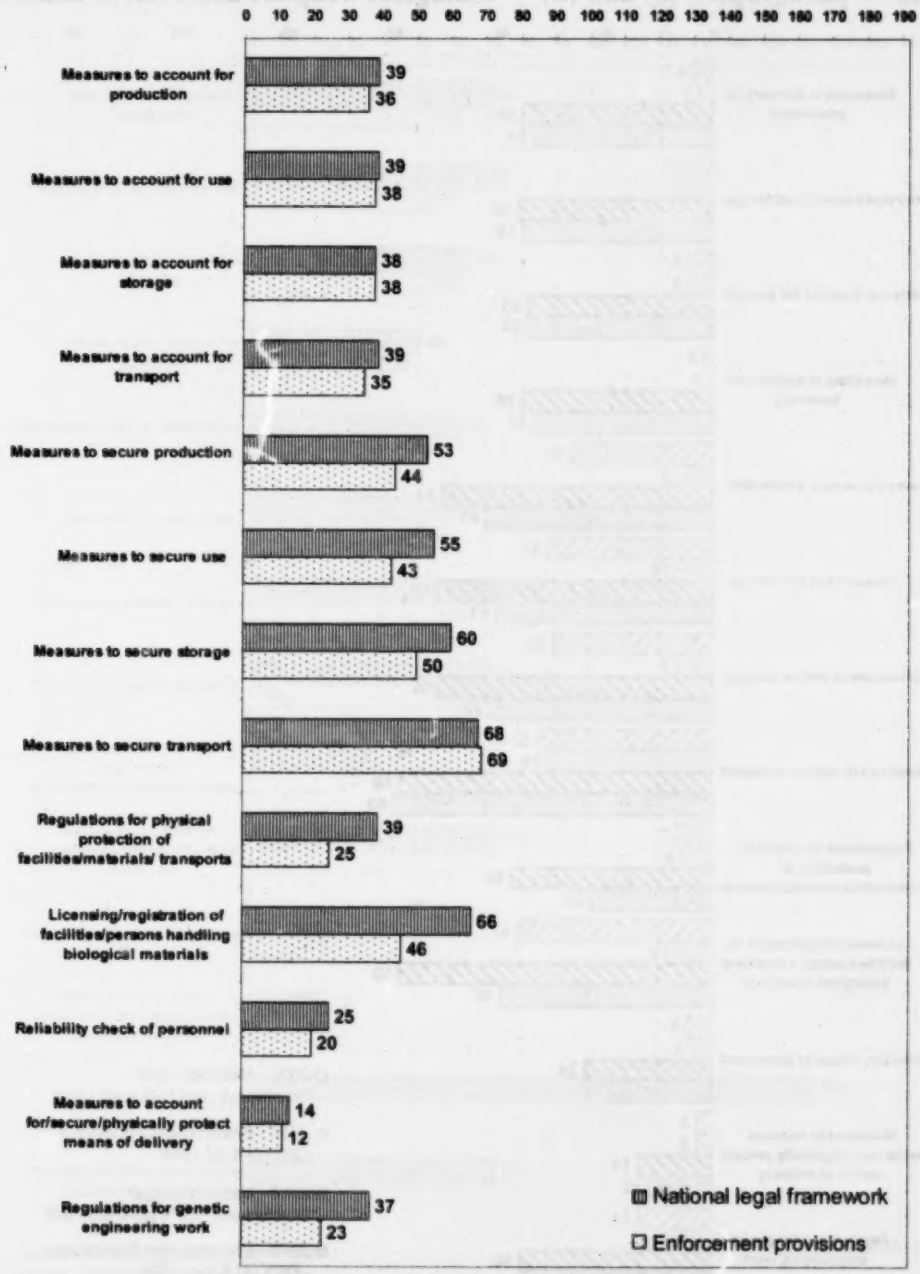
Annex XIII.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (a) and (b) — biological weapons and related materials



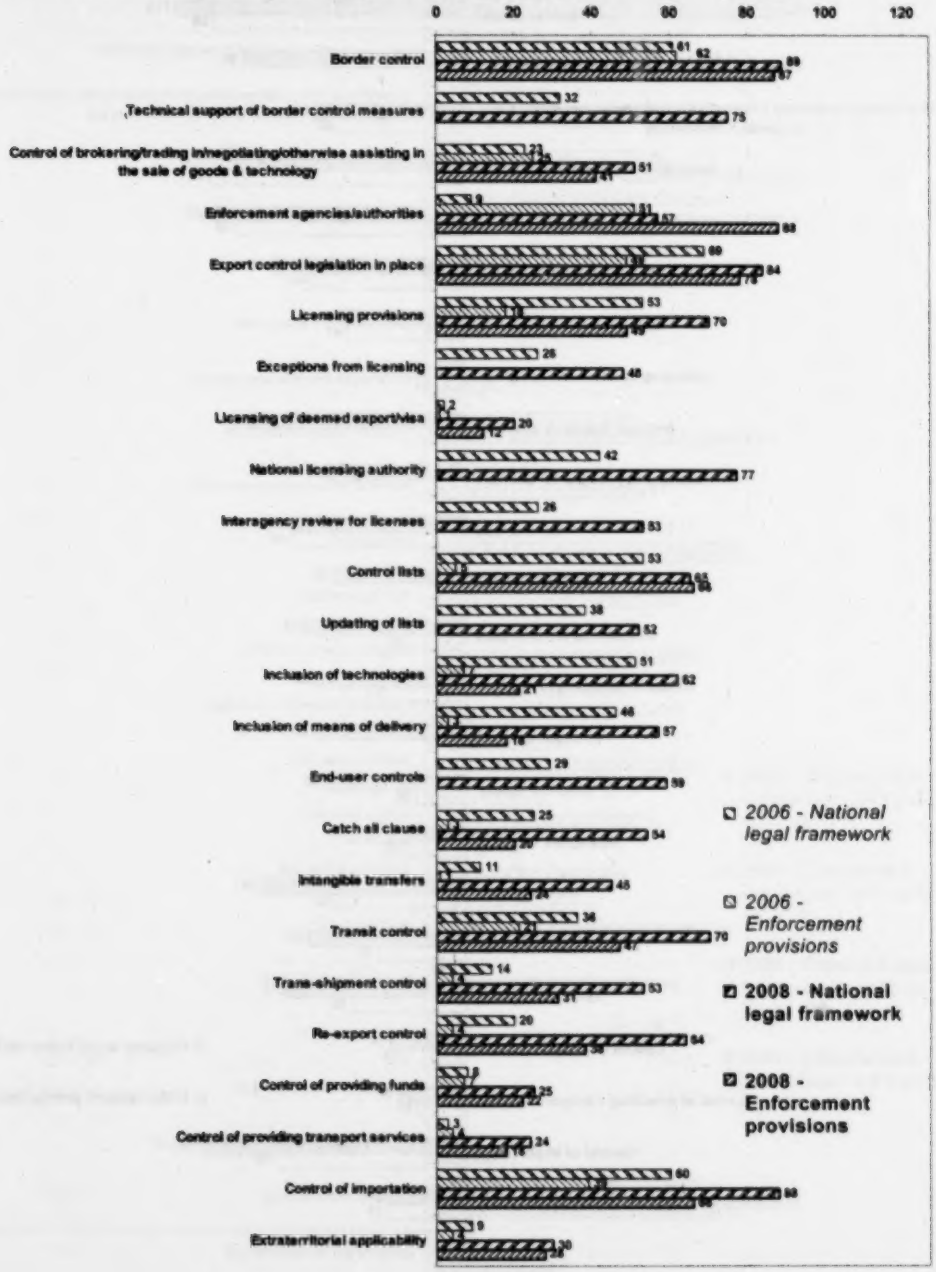
Annex XIII.B

Current assessment of implementation for 192 Member States — paragraph 3 (a) and (b) — biological weapons and related materials



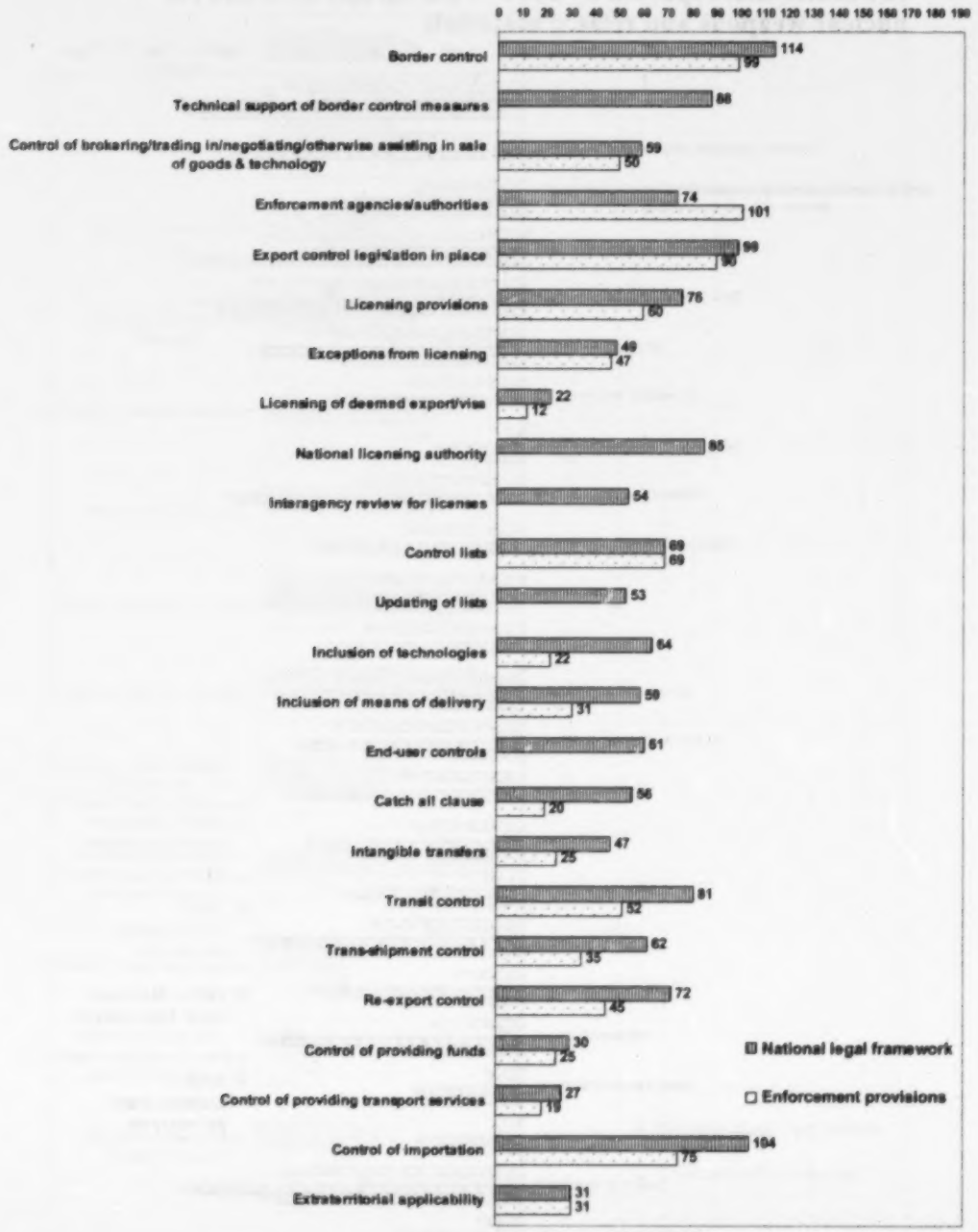
Annex XIV.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — nuclear weapons and related materials



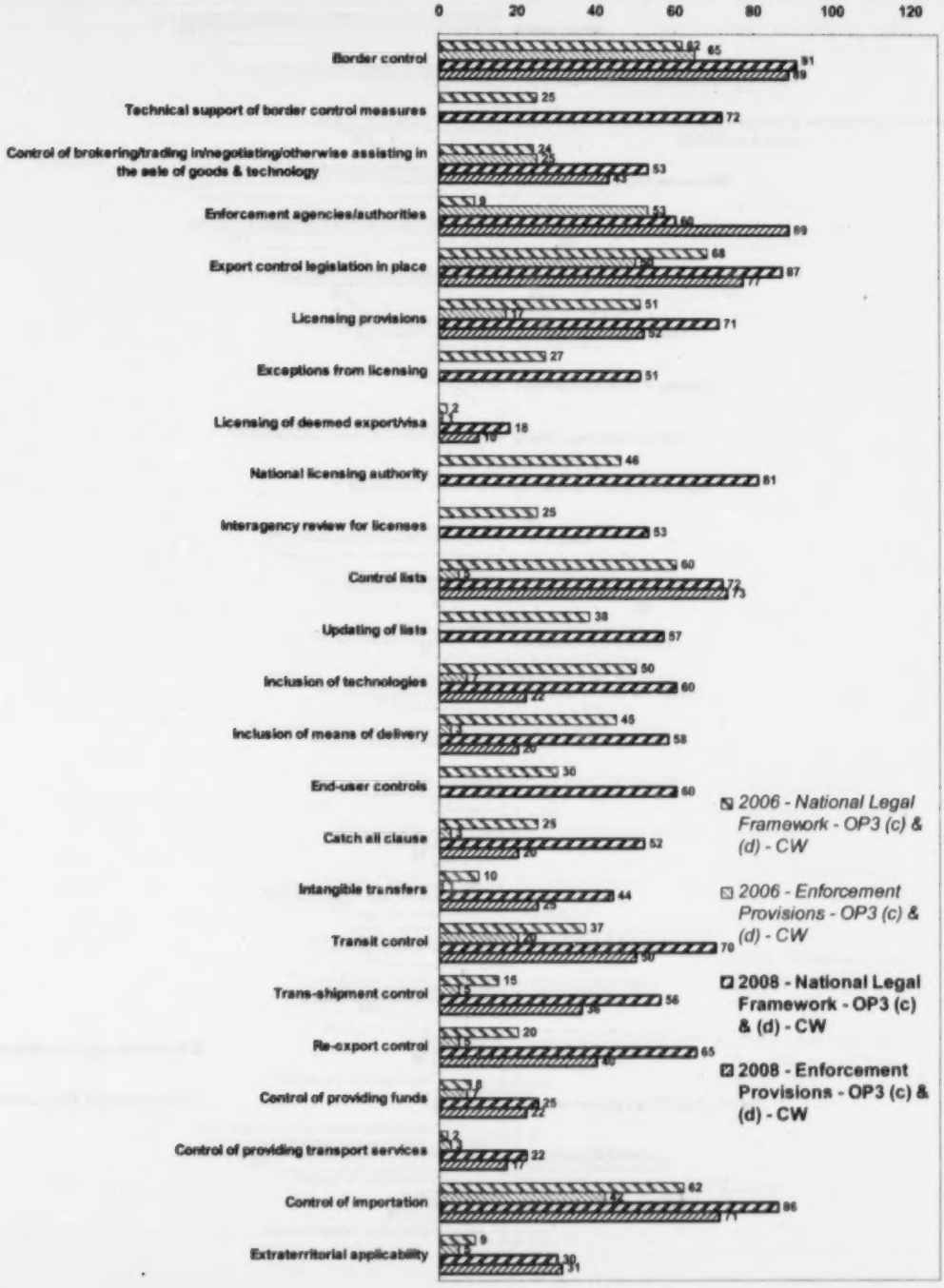
Annex XIV.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — nuclear weapons and related materials



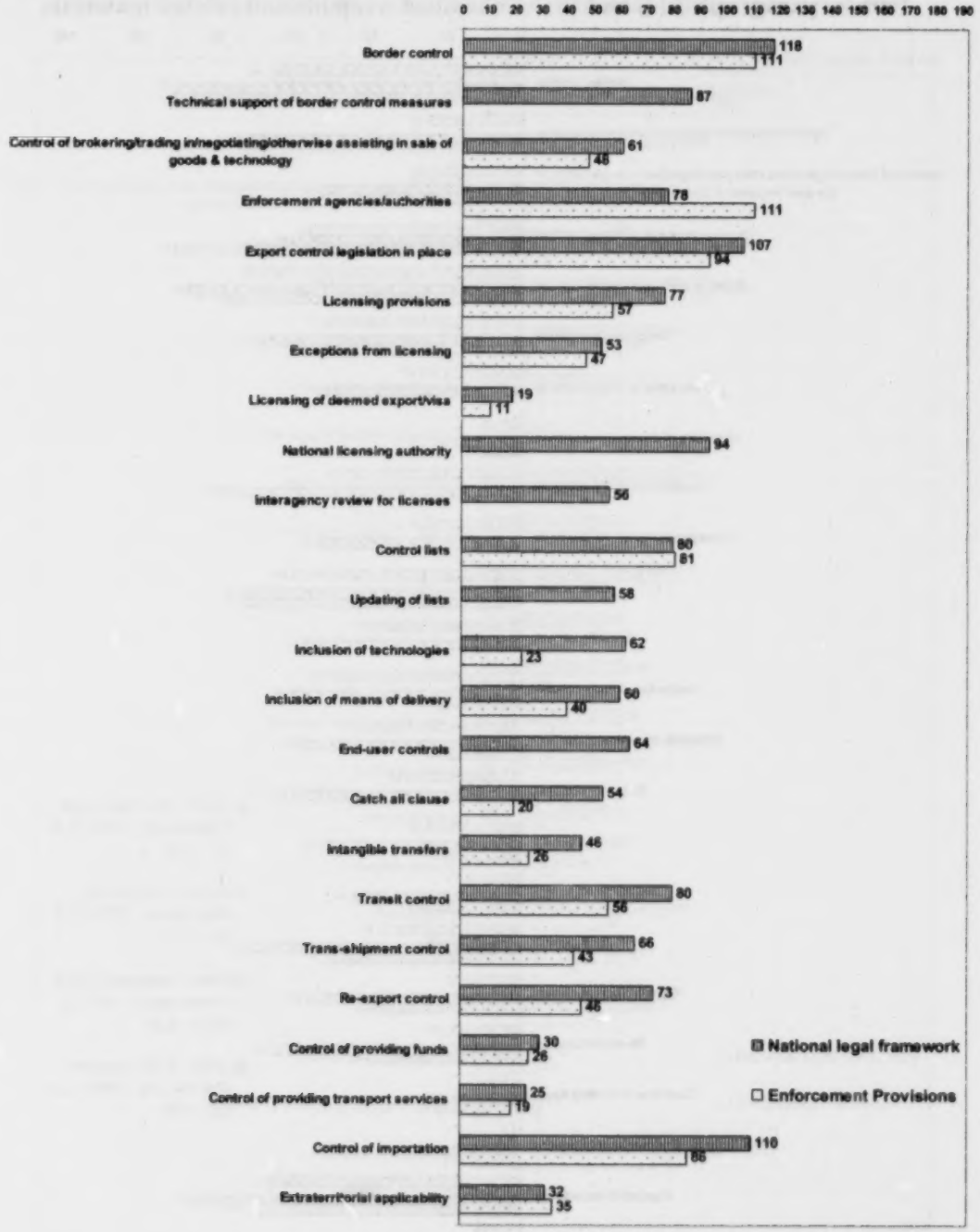
Annex XV.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — chemical weapons and related materials



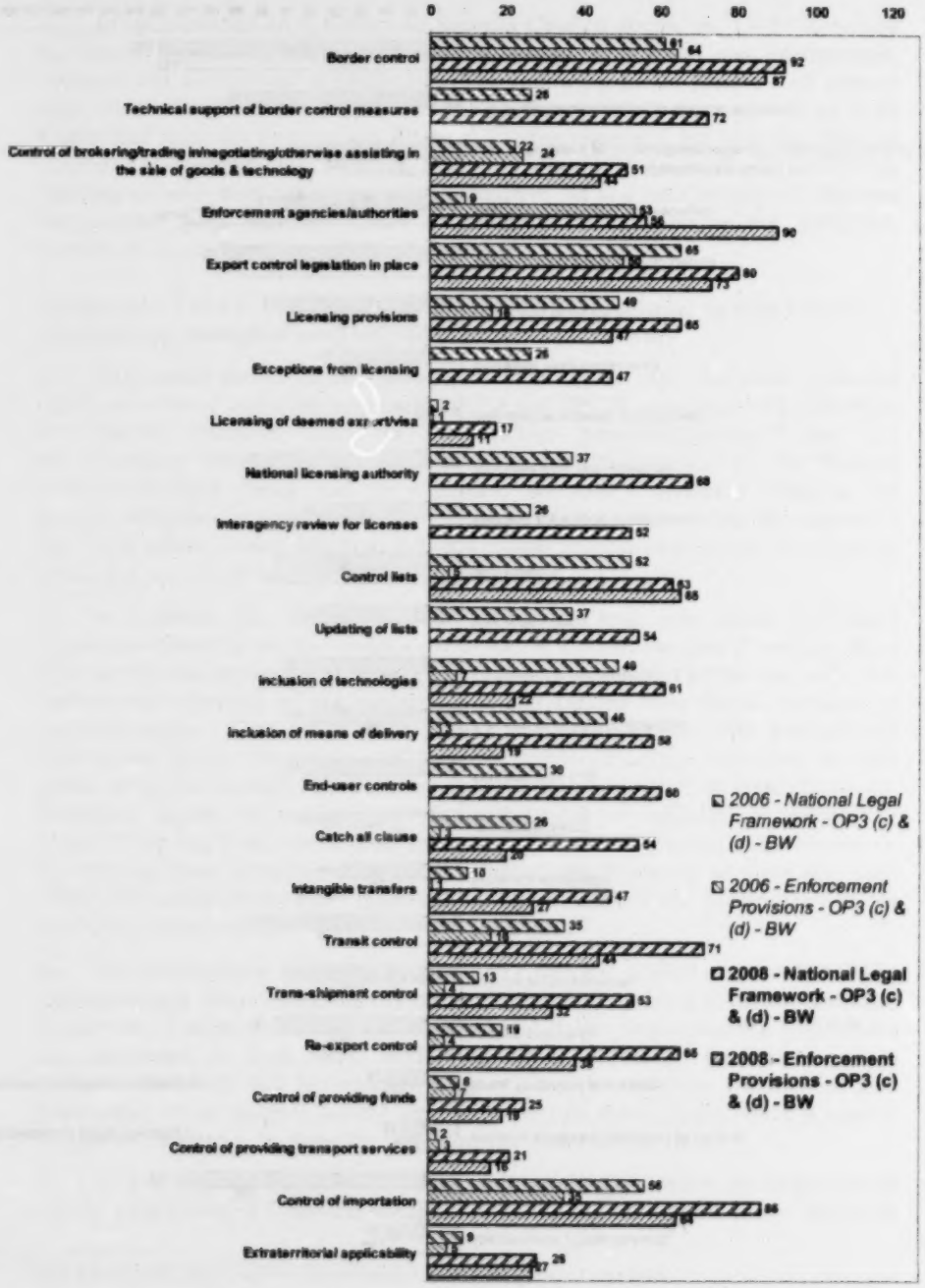
Annex XV.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — chemical weapons and related materials



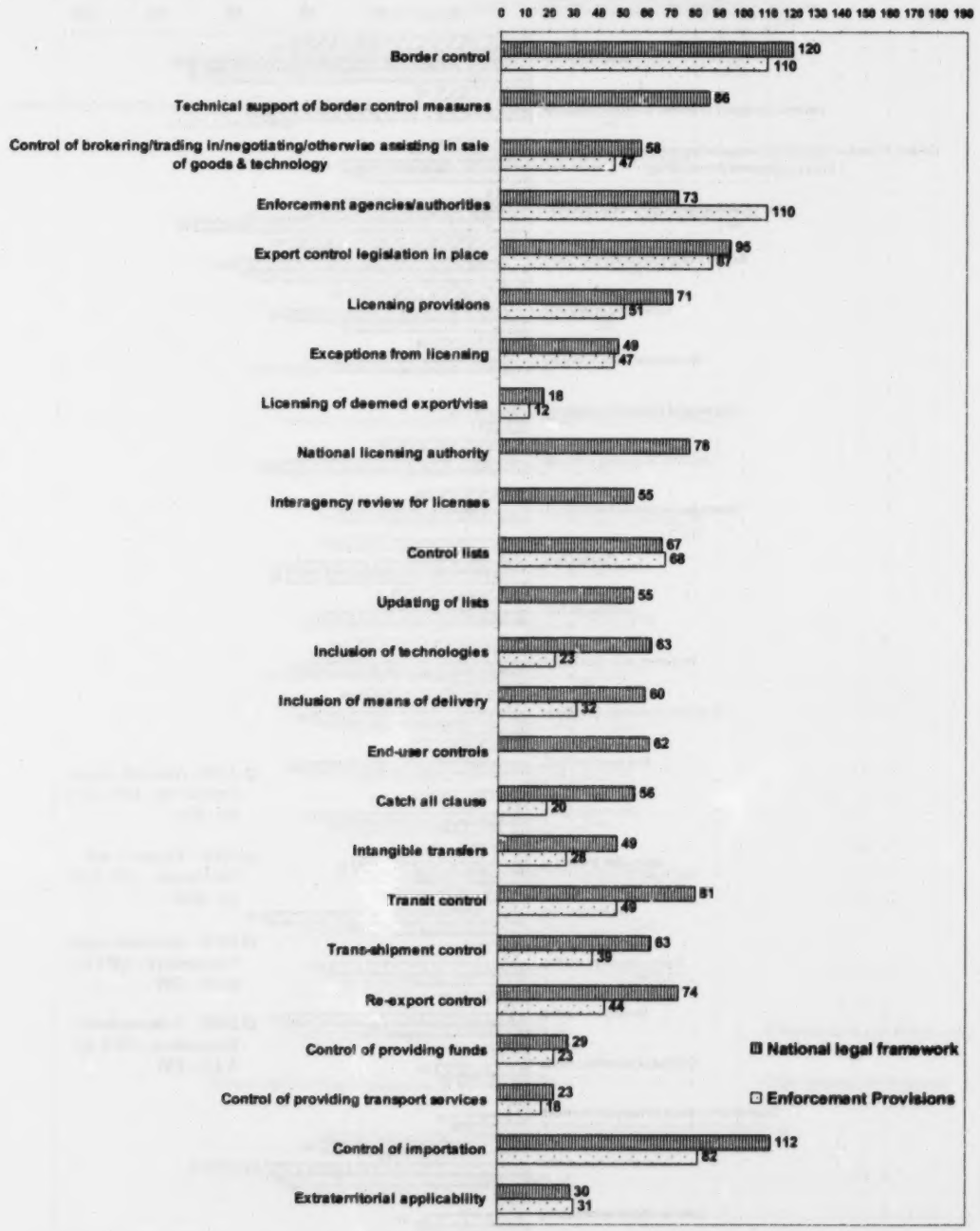
Annex XVI.A

Progress of implementation as reflected in the matrices of Member States: comparative information for 2006 and 2008 for the 127 States that reported by 2006 — paragraph 3 (c) and (d) — biological weapons and related materials



Annex XVI.B

Current assessment of implementation for 192 Member States — paragraph 3 (c) and (d) — biological weapons and related materials



Annex XVII

Experience shared for the implementation of Security Council resolution 1540 (2004)

1. In its resolution 1673 (2006) the Security Council invited the 1540 Committee to explore experience-sharing and lessons learned with States and international, regional and subregional organizations. The following list of practices of interest responds to that invitation. As noted in the main part of the present report, the 1540 Committee does not endorse any of the following materials, but provides them as illustrative examples for Member States to consider. As such, the following information also does not comprise an exhaustive list and the Committee welcomes suggestions from Member States or intergovernmental bodies for additions, modifications or deletions to these examples.

Paragraphs 1 and 2: experience shared regarding prohibitions against nuclear, chemical and biological weapons and their means of delivery

2. Experience shared in this category includes model laws and other measures that have evolved under the auspices of IAEA and OPCW to implement prohibitions and similar measures found in the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention respectively. Prohibitions in the Nuclear Non-Proliferation Treaty and the Chemical Weapons Convention relate to the general obligation in paragraph 1 for States to refrain from providing any support to non-State actors in their efforts to obtain weapons of mass destruction, as well as to some, but not all, of the prohibitions in paragraph 2.

3. In addition, the United Nations Office on Drugs and Crime (UNODC) *Legislative Guide to the Universal Anti-Terrorism Conventions and Protocols* offers commentary and annotated models of legislation to implement all the anti-terrorism conventions.[a] Several of the anti-terrorism conventions have direct relevance to implementation of resolution 1540 (2004). For example, the 1997 International Convention for the Suppression of Terrorist Bombings defines explosive or other lethal devices to include "the release, dissemination or impact of toxic chemicals, biological agents or toxins or similar substances or radiation or radioactive material" by non-State actors, their accomplices, or any who assist them. Moreover, by defining these activities as terrorist offences, the financing of these acts falls within the ambit of the 1999 International Convention for the Suppression of the Financing of Terrorism.

4. The International Committee of the Red Cross has drafted a model law ("The Biological and Toxin Weapons Crimes Act") for States with a common law legal framework. Similarly, the International Criminal Police Organization (INTERPOL) has developed, in draft form, model legislation to prohibit bio-crimes and to promote bio-safety and bio-security, with text and annotations. INTERPOL also encourages its members to submit legislative texts on those issues, which it intends to post on its website to share the wide range of national experience.[b]

5. To help States implement the Chemical Weapons Convention, the Organization for the Prohibition of Chemical Weapons (OPCW) has produced a model decree to

[a] See www.unodc.org/unodc/en/terrorism/technical-assistance-tools.html.

[b] See www.interpol.int/Public/BioTerrorism/bioC/default.asp.

establish a national authority, model penal code provisions and a national legislation implementation kit that comes with text and section-by-section commentary.[c] Responding to suggestions from OPCW member States that were working with the United Nations Institute for Training and Research (UNITAR) on chemical and pesticide safety and environmental controls, OPCW and the Organization of Eastern Caribbean States (OECS) developed a model act and model regulations to integrate both the Chemical Weapons Convention and environmental dimensions.[d]

6. Lastly, the IAEA Office of Legal Affairs offers an online compendium of legal instruments on safeguards and non-proliferation, as well as the 2003 IAEA *Handbook on Nuclear Law*. The handbook includes model annotated legal texts relating to nuclear non-proliferation and the penalization of the illicit use or possession of nuclear materials by non-State actors.[e]

Paragraph 3 (a) and (b): experience shared regarding accounting, securing and physical protection of nuclear, chemical and biological weapons, their means of delivery and related materials

7. The practices in these areas involve industrial uses of specific weapons of mass destruction-related materials as defined in the footnote to the first preambular paragraph of resolution 1540 (2004). These practices differ considerably from the practices relating to prohibited activities noted above and vary according to the type of industry and the applicable legal instruments. Resolution 1540 (2004) specifically refers to legal instruments and guidelines governing the work of IAEA and OPCW regarding accounting, securing and physical protection of nuclear and chemical items. As paragraph 3 of resolution 1540 (2004), however, covers a much wider range of technical issues than paragraph 1 or 2, many more practices of interest exist for these activities.

8. The Economic Commission for Europe (ECE), for example, recently issued the fifteenth edition of its *Recommendations on the Transport of Dangerous Goods: Model Regulations*. Many of these recommendations cover dangerous goods of concern in the implementation of resolution 1540 (2004).[f] Similarly, ECE prompted the development of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR), recently consolidated in document ECE/TRANS/185, Volumes I and II, and of the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), which came into force in February 2008.[g] At the time of preparation of the present report, ECE had begun work with the Intergovernmental Organization for International

---

[c] LAO 11-Oct-2005 "Model Decree on the establishment of a National Authority," LAO 12-Oct-2005 "Model Penal Code Provisions," and LAO Mar-2006 at www.opcw.org/html/db/legal/la_models.html.

[d] S/190/2000 23-May-2000 "An Integrated Approach to National Implementing Legislation: Model Act Developed by the Secretariat of the Organization of Eastern Caribbean States" (S/127/99), its associated document S/190/2000 "Annexes 1 and 2 23-May-2000 Annex 1: Pesticides and Toxic Chemicals Control Act (draft); Annex 2: Toxic Chemicals Control (Registration, Licensing and Permit) Regulations (draft)" and PC-IV/A/WP.10 28-Sep-1993 "Illustrative Model Legislation for the Incorporation of the Chemical Weapons Convention into Domestic Law."

[e] Available at http://ola.iaea.org/ola/what_we_do/handbook%20link.asp.

[f] See www.unece.org/trans/danger/publi/unrec/rev15/15files_e.html.

[g] See www.unece.org/trans/danger/publi/adr/adr_e.html.

Carriage by Rail (OTIF) to harmonize ADR and ADN with the OTIF Regulations Concerning the International Carriage of Dangerous Goods by Rail (RID).[h]

9. The International Maritime Organization (IMO) plays a particularly important role in establishing practices of interest to the secure transportation of weapons of mass destruction-related items, especially as the majority of international trade moves by sea. The Maritime Safety Committee of IMO, for example, developed and oversees the International Maritime Dangerous Goods (IMDG) Code. Application of the IMDG Code became mandatory under the Convention on the Safety of Life at Sea in 2004.[i] In 2006, the Maritime Safety Committee also issued its Revised Recommendations on the Safe Transport of Dangerous Cargoes and Related Activities in Port Areas to match its security provisions with amendments to the IMDG Code and the International Ship and Port Facility Security (ISPS) Code. Part A of the ISPC Code became mandatory in 2004 and many States noted their compliance with it in their submissions to the 1540 Committee. A new protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation will make the transportation of persons or cargo by sea to support illicit activities related to weapons of mass destruction an offence, around which IMO likely will need to develop new standards and practices.

10. Annex 18 to the Convention on International Civil Aviation covers the safe transport of dangerous goods by air and includes a requirement that such transport follow the Technical Instructions for the Safe Transport of Dangerous Goods by Air. The Technical Instructions incorporate a classification system for and list of dangerous goods and procedures for packaging, handling, inspection, notifications relating to such goods, as well as enforcement and other measures that reflect the recommendations of the Dangerous Goods Panel of the International Civil Aviation Organization (ICAO).[j] The International Air Transport Association (IATA) participates in the development of the ICAO Technical Instructions and has its own task force for training personnel on transporting dangerous goods.[k]

11. While many States have tabled papers on improving the standards for biological accountancy, security and physical protection in the context of the Biological and Toxin Weapons Convention process, traditionally most guidance and standards from international organizations were aimed at preventing the spread of animal plant and human diseases through international trade or preventing States from using such measures as barriers to legitimate trade, leaving other matters of human, animal, and plant health to national authorities. However, several key international organizations have begun to develop guidance on topics relevant to the implementation of paragraph 3 (a) and (b) of resolution 1540 (2004). Perhaps most importantly, the creation of the Implementation Support Unit for the Biological and Toxin Weapons Convention already has contributed to the identification of possible practices of interest by publishing citations for a vast number of laws, decrees and regulations on biological materials in dozens of countries, among its online tools.[l]

---

[h] See www.otif.org/html/e/pres_infor_generales_e.html.

[i] See www.imo.org/Safety/mainframe.asp?topic_id=158.

[j] See www.icao.int/anb/FLS/DangerousGoods.

[k] See www.iata.org/workgroups/dgb.htm. IATA also has its own annual *Dangerous Goods Regulations Manual* and a *Dangerous Goods Regulations e-List*.

[l] See www.unog.ch/80256EE600585943/(httpPages)/855B57E1A5D7D60CC12573A6005334F3?OpenDocument.

12. The World Health Organization (WHO) Chemical and Biological Weapons Working Group has begun to implement resolution 16 of the Fifty-fifth World Health Assembly "on global public health response to natural occurrence, accidental release or deliberate use of biological and chemical agents or radionuclear material that affect health".[m] In 2004, for example, WHO issued guidance relating to the security of related materials against biological and chemical terrorism (particularly in annex 5, Precautions against the sabotage of drinking water, food, and other products in its public health response to biological and chemical weapons: WHO guidance).[n] It also released the third edition of its *Laboratory Bio-safety Manual*. Another WHO reference of note is *Preparedness for the Deliberate Use of Biological Agents*, especially chapter 2 on prevention.[o] Finally, WHO has issued a number of practices of interest for specific diseases associated with the threat of biological weapons, such as its *Guidelines for the Surveillance and Control of Anthrax in Humans and Animals* and its *Plague Manual: Epidemiology, Distribution, Surveillance and Control*, and continues to work on guidance regarding tularaemia, among others diseases of concern.[p]

13. The Food and Agriculture Organization of the United Nations (FAO) also has taken a broad view of the term "bio-security" to encompass many of the issues of accountancy and security related to implementation of resolution 1540 (2004), defining it as "the management of biological risks in a comprehensive manner to achieve food safety, protect animal and plant life and health, protect the environment and contribute to its sustainable use".[q] In 2005, FAO, in conjunction with WHO, the World Trade Organization, the World Organization for Animal Health and the Secretariat of the Convention on Biological Diversity, started hosting a website, namely, the *International Portal on Food Safety, Animal and Plant Health*,[r] to compile information on all the latest national and international standards, law and other topics related to protecting food supplies and animal and plant health.

14. The OPCW Technical Secretariat has designed a host of documents on implementing the Chemical Weapons Convention, such as its 2002 *Handbook on Declarations*. Virtually all of these documents contain practices of interest to States trying to implement resolution 1540 (2004), particularly those related to materials accountancy. OPCW also combines this material in its *Information Package No. 1 (2001)* to assist national authorities in implementing the Chemical Weapons Convention.[s] OPCW also works closely with the global chemical industry on safety

[m] WHA55.16 of 18 May 2002.

[n] See www.who.int/csr/delibepidemics/biochemguide/en/index.html.

[o] See www.who.int/csr/resources/publications/deliberate/WHO_CDS_CSR_EPH_2002_16_EN/en/ and www.who.int/foodsafety/publications/fs_management/terrorism/en/ respectively.

[p] See www.who.int/bookorders/anglais/detart1.jsp?sesslan=1&codlan=1&codcol=93&codcch=161.

[q] See www.fao.org/DOCREP/MEETING/006/Y8453E.HTM#P69_18797.

[r] See www.ipfsaph.org/En/default.jsp.

[s] Infopack 1 can be found at http://www.opcw.org/na_infopack/. Information package No. 2 is forthcoming.

and security issues, which extends to the Responsible Care® Initiative of the International Council of Chemical Associations.[t]

15. Some materials produced under the auspices of the Awareness and Preparedness for Emergencies on a Local Level (APELL) programme of the United Nations Environment Programme (UNEP) apply to the security of chemical facilities, which relates to the implementation of resolution 1540 (2004). Some of its publications have a direct relationship with the obligations of the resolution, such as *Storage of Hazardous Materials: A Technical Guide for Safe Warehousing of Hazardous Materials* (Technical Report Series No. 3). FAO also addresses some issues concerning chemicals, primarily pesticides, such as in its *International Code of Conduct on the Distribution and Use of Pesticides* (Revised version).

16. Resolution 1540 (2004) specifically mentions the Code of Conduct on the Safety and Security of Radioactive Sources. In addition, the principles and practices described in IAEA safeguards agreements, for which IAEA has model text, and the model additional protocol (INFCIRC/540), clearly contain practices relating to the implementation of resolution 1540 (2004), as do the IAEA *Regulations for the Safe Transport of Radioactive Material* (IAEA Safety Standards Series TS-R-1, 2005). Resolution 1540 (2004) also references the physical protection measures required under the Convention on the Physical Protection of Nuclear Material for use, storage and transport of nuclear items.[u] The United Nations Office on Drugs and Crime *International Law Series No. 2* conveniently bundles together all of the official documents on the Convention on the Physical Protection of Nuclear Material, including background materials for the many practices in that convention.[v]

17. In addition, States have promulgated a number of regional and bilateral cooperation agreements or guidelines for nuclear related materials. For example, Commission regulation (Euratom) No. 3227/76 (as amended most recently by Commission regulation (Euratom) No. 302/2005) implements the safeguards system established in the Euratom Treaty, which includes many practices of interest in nuclear accountancy and transfers between States.[w] Similarly, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC) implements and enforces the Common System for Accounting and Control of Nuclear Materials, the set of safeguard procedures for all the nuclear materials in Argentina and Brazil. The Quadripartite Agreement among ABACC, IAEA and the two national nuclear authorities, along with ABACC bilateral agreements with IAEA, the European Atomic Energy Community (EURATOM), the Republic of Korea Institute of Nuclear Non-proliferation and Control, and the Organismo para la Proscripción de las Armas Nucleares en la América Latina y el Caribe (OPANAL)

[t] Implemented independently by chemistry councils in each of the 52 participating countries, each national chemical council must, among other requirements, produce codes, guidance notes and checklists to assist its member companies in adhering to the safety and security requirements of the programme, engage in information sharing on their programmes, and have procedures to verify member company compliance, all of which States may find of use in their efforts to implement resolution 1540 (2004). See www.responsiblecare.org/page.asp?p=6407&l=1.

[u] See *INFCIRC/225/Rev.4 (Corrected)*. The IAEA also conducts regional training programmes on physical protection.

[v] Although less relevant to the obligations under the resolution, the Committee on the Safety of Nuclear Installations of the Nuclear Energy Agency has developed a host of practices of interest on nuclear safety issues (see www.nea.fr/html/general/policypapers.html#safety).

[w] See http://europa.eu/scadplus/leg/en/s14005.htm.

and their associated documents provide useful examples of information-sharing and cooperation, and for accounting and control of nuclear materials.[x]

18. States have reported implementing resolution 1540 (2004) through other multilateral arrangements to heighten the scrutiny of activities that might support a ballistic missile programme for delivery of weapons of mass destruction, such as the Hague Code of Conduct against Ballistic Missile Proliferation, for which the United Nations General Assembly in 2004 registered the support of 161 States.

Paragraph 3 (c) and (d): experience shared regarding border and export controls for nuclear, chemical and biological weapons, their means of delivery and related materials

19. In 2005, the World Customs Organization (WCO) adopted its Framework of Standards to Secure and Facilitate Global Trade (the WCO SAFE Framework of Standards) and the associated Columbus Program to assist States in building the capacity to implement the SAFE Framework effectively.[y] The SAFE Framework encompasses more than 30 standards, plus detailed elements for implementation. The SAFE Framework depends on the effective functioning of networks among national, regional and international customs organizations, and partnerships between customs organizations and business. It builds on the Integrated Supply Chain Management Guidelines and other sources to enhance security of the supply change while simultaneously facilitating legitimate trade. WCO officials have indicated that they, in cooperation with IAEA, will produce a handbook on border control standards on anti-terrorism in the near future. Regional customs organizations, such as the Caribbean Customs Law Enforcement Council and the Oceania Customs Organization, focus more on day-to-day considerations of cooperation and information-sharing within their region, which also form the basis for practices of interest. Most customs and border control services also work regularly with national authorities to implement the International Standards for Phytosanitary Measures, under the International Plant Protection Convention, and similar measures for animal and human health, including the practice of quarantine.[z]

20. States have reported the use of national control lists for items relating to weapons of mass destruction and their means of delivery, as well as control lists established under multilateral arrangements or for the implementation of relevant Security Council resolutions, such as the lists contained in documents S/2006/814 and S/2006/815.

21. Several regional bodies have also promoted experience sharing related to export controls. The European Union, for example, has a community-wide regulatory regime for dual-use export controls embodied in Council regulation 1334/2000, as amended.[aa] In 2004, the Asia Pacific Economic Cooperation (APEC) forum developed its "APEC key elements for effective export control systems", and

---

[x] See www.abacc.org/home.htm.

[y] See www.wcoomd.org/learning_homeaboutus_capacitybuilding.htm, www.wcoomd.org/home_wco_topics_epoverviewboxes_tools_and_instruments_epsafeframework.htm, and briefings of the 1540 Committee experts by representatives of WCO.

[z] See www.who.int/csr/ihr/en/.

[aa] See http://ec.europa.eu/trade/issues/sectoral/industry/dualuse/index_en.htm. At the time of writing, discussions continued on a major revision of the regulation to incorporate the results of the 2004 peer review exercise and other recommendations.

followed up this document with the "Report of the survey on current practices related to 'APEC key elements for effective export control systems'" in a 2006 meeting of its Counter-Terrorism Task Force.[bb] In 2007, members of the Eurasian Economic Community agreed on a mechanism to harmonize their export control systems and implement the Agreement on a Common Order of Export Control. In addition, member States of the Organization for Security and Cooperation in Europe (OSCE) have started to prepare a best practices guide for implementing resolution 1540 (2004).

22. States have reported implementing aspects of resolution 1540 (2004) through measures adopted in the framework of the Non-Proliferation Treaty Exporters Committee/Zangger Committee (such as its multilateral nuclear supply principles and the trigger list of nuclear items of proliferation concern) and the Nuclear Suppliers Group (such as the guidelines for nuclear transfers and the guidelines for transfers of nuclear-related dual-use equipment, materials, software and related technology).

23. The Chemical Weapons Convention obliges parties to control trade in chemicals listed in its schedules 1, 2 and 3 and compilation of discrete organic chemicals.[cc]

[bb] See www.apec.org/apec/about_apec/history.html.

[cc] See www.opcw.org.

Annex XVIII

List of outreach activities as at 1 July 2008

Seminars, workshops and conferences in which the Chairman, members or experts of the Committee participated to provide information on resolution 1540 (2004)

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Donors' Seminar on the Implementation of Security Council Resolution 1540 (2004)	Stockholm International Peace Research Institute	6-7 June 2006	Geneva	1540 Committee expert
Seminar on Implementing Security Council Resolution 1540 (2004) in Asia and the Pacific	China, Norway, European Union, Department for Disarmament Affairs	12-13 July 2006	Beijing	1540 Committee Chairman and experts
"Alarming nuclear proliferation crisis and regional and international peace and security", 18th United Nations Seminar on Disarmament Issues in Yokohama	Japan and the Department for Disarmament Affairs	21-23 August 2006	Yokohama, Japan	1540 Committee Chairman
Seminar on Implementing Security Council Resolution 1540 (2004) in Central Asia and the Caucasus	Kazakhstan, Norway, Centre for Non-proliferation Studies of the Monterey Institute of International Studies and MacArthur Foundation	8-9 October 2006	Almaty, Kazakhstan	1540 Committee Chairman and expert
Workshop on the Universality of the Chemical Weapons Convention	Organization for the Prohibition of Chemical Weapons	25-27 October 2006	Rome	1540 Committee expert
Workshop on the Implementation of Resolution 1540 (2004)	Organization for Security and Cooperation in Europe (OSCE)	8 November 2006	Vienna	1540 Committee Chairman and expert
Seminar on Implementing Security Council Resolution 1540 (2004) in the African Region	Ghana, Norway, European Union, Department for Disarmament Affairs	9-10 November 2006	Accra	1540 Committee Chairman and experts
"The next one hundred project": Workshop on Strengthening the International Non-proliferation Regime	Finland and Henry L. Stimson Center	15 November 2006	Washington, D.C.	1540 Committee member and expert
Seminar on Implementing Security Council Resolution 1540 (2004) in Latin America and the Caribbean	Peru, Norway, European Union, Department for Disarmament Affairs	27-28 November 2006	Lima	1540 Committee Chairman and experts

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Special Meeting on Combating the Proliferation of Nuclear, Chemical and Biological Weapons, their Delivery Systems and Related Materials	Organization of American States (OAS)	11-12 December 2006	Washington, D.C.	1540 Committee expert
Seminar to Support Implementation of Resolution 1540 (2004)	Finland, Henry L. Stimson Center and Stanley Foundation	17 January 2007	New York	1540 Committee members and experts
Workshop on Implementation of Security Council resolution 1540 (2004)	United States, Canada, Singapore and ASEAN Regional Forum	12-15 February 2007	San Francisco, United States	1540 Committee Vice-Chairman and expert
Eighth International Export Control Conference	Romania and the United States	6-8 March 2007	Bucharest	1540 Committee Chairman and expert
"Exploring better ways to cope with contemporary proliferation threats: brokering activities"		22-23 March 2007	Seoul	1540 Committee expert
Workshop on National Non-Proliferation Controls	Chile, Germany and Norway	27 March 2007	New York	1540 Committee members and experts
Regional Workshop on the Suppression of Acts of Nuclear Terrorism	Uzbekistan, United Nations Office on Drugs and Crime Terrorism Prevention Branch and OSCE	12-13 April 2007	Tashkent	1540 Committee expert
Seminar on Weapons of Mass Destruction Proliferation Issues	North Atlantic Alliance	18-19 April 2007	Vilnius	1540 Committee Chairman
"Weapons of Mass Destruction proliferation finance": intersessional meeting of the Working Group on Terrorist Financing and Money Laundering of the Financial Action Task Force	Financial Action Task Force and Organization for Economic Cooperation and Development (OECD)	3-4 May 2007	Ottawa	1540 Committee expert
Symposium on Building International Partnership to Combat Weapons of Mass Destruction	National Defense University Center for the Study of Weapons of Mass Destruction	16-17 May 2007	Washington, D.C.	1540 Committee Chairman
Symposium on Implementation of the Global Counter-Terrorism Strategy	Austria and UNODC Terrorism Prevention Branch	17-18 May 2007	Vienna	1540 Committee experts

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
OPCW Open-ended Working Group on Terrorism	Organization for the Prohibition of Chemical Weapons (OPCW)	24 May 2007	The Hague	1540 Committee Chairman and experts
Workshop on Implementation of Resolution 1540 (2004) in the Caribbean Region	Jamaica, Canada, Norway, European Union and Office for Disarmament Affairs	28-30 May 2007	Kingston	1540 Committee Chairman and experts
Seminar on Implementation of Resolution 1540 (2004) in the ASEAN Region	Indonesia and France	29-30 May 2007	Jakarta	1540 Committee member
Workshop on Universality and Implementation of the Chemical Weapons Convention	OPCW	18-19 June 2007	Algiers	1540 Committee expert
Panel on Implementing International Measures to Combat Nuclear Terrorism	Carnegie Endowment for International Peace	26 June 2007	Washington, D.C.	1540 Committee Chairman
Meeting on Terrorist Financing and Money Laundering	Financial Action Task Force (FATF)	25-26 June 2007	Paris	1540 Committee expert
Subregional Consultation on Implementation of the Legal Regime against Terrorism and Technical Assistance, and related workshops	UNODC Terrorism Prevention Branch and Pacific Islands Forum Secretariat	25-29 June 2007	Nadi, Fiji	1540 Committee expert
Meeting with representatives of potential assistance providers: States and intergovernmental and non-governmental organizations	UNODA	11-12 July 2007	New York	1540 Committee members and experts
Overview of United States Government assistance programmes related to implementation of resolution 1540 (2004)	United States	15 August 2007	Washington, D.C.	1540 Committee experts
Workshop on Implementing Security Council Resolution 1540 (2004) among Arab States	Jordan, Norway, United States, European Union and the Office for Disarmament Affairs	4-5 September 2007	Amman	1540 Committee Chairman and experts
Meeting on Combating Proliferation Financing, FATF Working Group on Typologies and Working Group on Terrorist Financing and Money Laundering	FATF and OECD	18-19 September 2007	Rome	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Subregional Workshop on Preparation of Responses to the Security Council Committees dealing with Counter-terrorism (West/Central Africa)	UNODC Terrorism Prevention Branch with three expert groups (Counter-Terrorism Committee Executive Directorate (CTED), 1267 Monitoring Team and 1540)	25-27 September 2007	Dakar	1540 Committee expert
Seminar on Implementing Security Council Resolution 1540 in the Kyrgyz Republic	Kyrgyzstan, Norway, Monterey Center for Non-proliferation Studies and Carnegie Corporation of New York	16-17 October 2007	Bishkek	1540 Committee expert
"Prevention of terrorist movement and effective border security", 5th Special Meeting of the Counter-Terrorism Committee with International, Regional and Subregional Organizations	Counter-Terrorism Committee	29-31 October 2007	Nairobi	1540 Committee expert
Briefing to the Senior Political Committee of NATO	NATO	30 October 2007	Brussels	1540 Committee Chairman
Briefing to the EU Committee on Non-Proliferation	Council of the European Union	31 October 2007	Brussels	1540 Chairman
International Conference on Illicit Nuclear Trafficking	United Kingdom International Atomic Energy Agency, INTERPOL, EUROPOL and World Customs Organization	19-22 November 2007	Edinburgh, United Kingdom	1540 Committee Chairman
Conference of the Inter-Parliamentary Union	United Nations	20-21 November 2007	New York	1540 Committee Chairman
Workshop on Implementing Resolution 1540 (2004) in the African Region (Southern Africa)	Botswana, Andorra, Norway, United States and the Office for Disarmament Affairs	27-28 November 2007	Gaborone	1540 Committee Vice-Chairman and experts
Subregional Workshop on Preparation of Responses to the Security Council Committees dealing with Counter-terrorism (Southern Africa)	UNODC Terrorism Prevention Branch with three expert groups (CTED, 1267 Monitoring Team and 1540)	28-29 November 2007	Gaborone	1540 Committee expert
Meeting of FATF Working Group on Typologies: Workshop on Proliferation Financing		28-30 November 2007	Bangkok	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Expert Group Meeting on Implementation of the Penal Provisions in the Universal Legal Framework against Nuclear Terrorism	UNODC Terrorism Prevention Branch	6-7 December 2007	Vienna	1540 Committee expert
Seminar on CARICOM-United States Partnership to Combat Illicit Trafficking in Arms	CARICOM and United States Department of State	11-12 December 2007	Nassau	1540 Committee expert
Legal Workshop on the Criminal Law Aspects of Countering Nuclear, Chemical and Biological Terrorism in the Light of Relevant Universal Instruments — for member States of the Commonwealth of Independent States (CIS)	Executive Secretariat of CIS and UNODC Terrorism Prevention Branch	16-17 January 2008	Minsk	1540 Committee member and expert
Responding to Resolution 1540 (2004) with Development and Capacity-building Assistance in the Caribbean	Canada, Stanley Foundation and Henry L. Stimson Center	28-29 February 2008	Santo Domingo	1540 Committee expert
Technical assistance mission to review national legislation to implement United Nations anti-terrorism instruments	UNODC Terrorism Prevention Branch	10-13 March 2008	Guatemala City	1540 Committee expert
Workshop on United Nations Engagement with Regional, Subregional and Functional Bodies and Civil Society in Implementing the United Nations Global Counter-Terrorism Strategy	Slovakia, Costa Rica, Japan and Switzerland, with the support of the Center on Global Counterterrorism Cooperation	17-18 March 2008	Bratislava	1540 Committee expert
Regional Conference on Nuclear Terrorism	Qatar and UNODC Terrorism Prevention Branch	29-30 April 2008	Doha	1540 Committee expert
OAS Workshop on Implementation of Resolution 1540 (2004)	Argentina, United States and OAS	13-14 May 2008	Buenos Aires	1540 Committee member and expert
7th meeting of Study Group on Countering Proliferation of weapons of mass destruction in Asia and the Pacific	Viet Nam and Council for Security Cooperation in the Asia Pacific	25-27 May 2008	Ho Chi Minh City, Viet Nam	1540 Committee expert

Title	*Organizer/sponsor*	*Date*	*Location*	*Participation*
Ministerial Conference on International Cooperation against Terrorism and Organized Crime	Panama and UNODC Terrorism Prevention Branch	26-29 May 2008	Panama City	1540 Committee expert
Pacific Islands Forum Consultation Workshop on Implementation of the Legal Regime against Terrorism, and Pacific Islands Forum Working Group on Counter-terrorism	Pacific Islands Forum Secretariat, New Zealand and UNODC Terrorism Prevention Branch	2-4 June 2008	Suva	1540 Committee expert
United Nations Security Council Resolution 1540 (2004) — A Path for Further Implementation	Romania and Croatia	5-6 June 2008	Rakitie, Croatia	1540 Committee expert
"Global perspective of the proliferation landscape: an assessment of tools and policy problems"	Defense Threat Reduction Agency, Monterey Naval School	10-12 June 2008	Monterey, California, United States	1540 Committee expert
FATF Plenary Meeting	FATF	16-20 June 2008	London	1540 Committee expert